

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73249 of 2022

Arising Out of PS. Case No.-327 Year-2022 Thana- DAUDNAGAR District- Aurangabad

1. PARSURAM BISHWAKARMA Son of Hari Narayan Bishwakarma R/V- Muslimabad, P.S- Daudnagar, Dist- Aurangabad
2. Ashoka Bishwakarama Son of Hari Narayan Bishwakarma R/V- Muslimabad, P.S- Daudnagar, Dist- Aurangabad
3. Manish Bishwakarma Son of Ashoka Biswakarma R/V- Muslimabad, P.S- Daudnagar, Dist- Aurangabad
4. Anish Bishwakarma Son of Ashoka Bishwakarma R/V- Muslimabad, P.S- Daudnagar, Dist- Aurangabad
5. Hari Narayan Bishwakarma Son of Late Muni Bishwakarma R/V- Muslimabad, P.S- Daudnagar, Dist- Aurangabad
6. Vimla Devi Wife of Ashok Biswakarma R/V- Daudnagar, Dist- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Kant Tiwari
For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 29-04-2023 Heard the learned counsel for the petitioners and the learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Daudnagar P.S. Case No. 327 of 2022 registered for the offence punishable under Sections 341, 323, 324, 307 and 504/34 of the Indian Penal Code.

The allegation is regarding a Panchayati having been undertaken on the alleged date and time of occurrence, during



the course whereof, the accused persons including the petitioners herein had arrived there and assaulted the informant and his family members resulting in them receiving injuries.

The learned counsel for the petitioners submits that the petitioners are innocent, they have been falsely implicated in the present case and they are having a clean antecedent. The learned counsel for the petitioners has further submitted that the present case arises out of case and counter case and in fact, most of the accused persons of the counter case, filed on behalf of the petitioners, have been granted the privilege of anticipatory bail by coordinate Benches of this Court. It is also submitted that a bare perusal of the impugned order dated 11.11.2022 would show that there is no injury report on record as far as the injured persons are concerned, which shows that none of the injured persons have received any serious injury.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioners, considering the materials available on record and taking into account the fact that the petitioners are having a clean antecedent, the present case arises out of case and counter



case and there is no injury report available on the record of the case, I deem it fit and proper to admit the petitioners to the privilege of anticipatory bail.

Accordingly, the petitioners are directed to be enlarged on anticipatory bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Daudnagar, Aurangabad, in connection with Daudnagar P.S.Case No. 327 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

Ajay/-

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