

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80641 of 2023

Arising Out of PS. Case No.-114 Year-2023 Thana- CHORAUT District- Sitamarhi

1. Ramchandra Kapar Son Of Late Raj Kumar Kapar R/O Village- Yadupatti, P.S.- Choraut, District- Sitamarhi
2. Bachcha Kapar @ Bachha Babu Choudhary Son Of Late Raj Kumar Kapar R/O Village- Yadupatti, P.S.- Choraut, District- Sitamarhi
3. Ramji Kapar @ Ramji Choudhary Son Of Late Raj Kumar Kapar R/O Village- Yadupatti, P.S.- Choraut, District- Sitamarhi
4. Arjun Kapar @ Arjun Prasad Choudhary Son Of Indradeo Choudhary R/O Village- Yadupatti, P.S.- Choraut, District- Sitamarhi
5. Ajay Kapar @ Bhurchurwa Kapar @ Ajay Choudhary @ Ajay Son Of Late Vishnudeo Kapar R/O Village- Yadupatti, P.S.- Choraut, District- Sitamarhi
6. Kedar Manji Son Of Rambilas Manjhi R/O Village- Yadupatti, P.S.- Choraut, District- Sitamarhi

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Prasad Singh
For the Opposite Party/s : Mr.Anil Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-12-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. Learned counsel for the petitioners not pressed anticipatory bail petition on behalf of the petitioner no. 5 because he had already been arrested by the Police during pendency of the anticipatory bail.

3. Hence, the prayer of anticipatory bail petition on behalf of petitioner no. 5 is dismissed as withdrawn.



4. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 324, 325, 352, 354(B), 379, 504 of the Indian Penal Code.

5. It is submitted by learned counsel for the petitioners that the petitioner no. 1, 2, 3, 4 and 6 has falsely been implicated in the present case. Petitioner nos. 4 and 6 has one criminal antecedent in which they are on bail. There is admitted land dispute between the parties. The specific allegation is against petitioner no. 1 that he gave farsa blow on the head of the informant due to which he fell down and injury was found to be grievous in nature.

6. Learned APP for the State has opposes the prayer for bail.

7. Considering the facts and circumstances of the case and also nature of the injury, I am not inclined to grant anticipatory bail to the petitioner no. 1.

8. Hence, his prayer for anticipatory bail stands dismissed.

9. Considering the fact that there is general and omnibus allegation against the petitioners no. 2, 3, 4 and 6, also injury is found to be simple in nature, I am inclined to grant anticipatory bail to the petitioners no. 2, 3, 4 and 6.



10. Having regard to the facts and circumstances of the case and also there is general and omnibus allegation and injury was found to be simple in nature, let the above named petitioners no. 2, 3, 4 and 6, be released on bail, in the event of their arrest, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending/ successor Court in connection with Choraut P.S. Case No. 114 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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