

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9284 of 2024

Arising Out of PS. Case No.-207 Year-2023 Thana- RAJEPUR District- East Champaran

1. Durga Prasad @ Durga Bhagat Son Of Late Sitaram Bhagat Resident Of Village- Tajpur Saraiya, Ps- Rajepur, Distt- East Champaran
2. Mohan Prasad Son Of Late Sitaram Bhagat Resident Of Village- Tajpur Saraiya, Ps- Rajepur, Distt- East Champaran
3. Bhola Bhagat Son Of Late Sitaram Bhagat Resident Of Village- Tajpur Saraiya, Ps- Rajepur, Distt- East Champaran
4. Birendra Prasad Son Of Late Sitaram Bhagat Resident Of Village- Tajpur Saraiya, Ps- Rajepur, Distt- East Champaran
5. Ram Chandra Prasad Son Of Late Jhagaru Bhagat Resident Of Village- Tajpur Saraiya, Ps- Rajepur, Distt- East Champaran
6. Sandhya Devi Wife Of Parmesar Prasad Resident Of Village- Tajpur Saraiya, Ps- Rajepur, Distt- East Champaran
7. Rekha Devi Wife Of Mohan Bhagat Resident Of Village- Tajpur Saraiya, Ps- Rajepur, Distt- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Abhishek Kumar
For the Opposite Party/s :	Mr.Mithlesh Kumar Khare, APP
	Mr. Kundan Rathore, Adv

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 06-03-2024 1. Heard learned counsel for the petitioners and learned A.P.P. for the State along with learned counsel for the OP No. 2.
2. Learned counsel for the petitioners, at the outset, seeks permission to withdraw the anticipatory bail application with respect to Mohan Prasad (Petitioner No. 2) and Bhola Bhagat (Petitioner No. 3).



3. Permission is accorded.

4. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 147, 325, 307, 379, 504, 506 and 34 of the Indian Penal Code.

5. Learned counsel for the petitioners submits that from perusal of the allegation as alleged in the FIR, it would manifest that specific allegation of assaulting the informant by *farsa* and sword is on Mohan Prasad and Bhola Bhagat. It is further submitted that as far as other petitioners are concerned, the allegation against them are general and omnibus in nature, though against petitioner No. 1, it is alleged that he tied towels around the neck of the informant and dragged him, but then the said allegation is ornamental in nature. It is further submitted that the occurrence is alleged to have taken place on account of dispute relating to land and Rajepur PS Case No. 188 of 2023 has been registered from the side of the petitioners against the informant side.

6. Learned A.P.P. for the State along with learned counsel for OP No. 2 opposes the prayer for anticipatory bail of the petitioners, but are not in a position to rebut the submission of the learned counsel for the petitioner that allegation against the petitioners are general and omnibus in nature, and as far as



petitioner No. 1 is concerned, the allegation against him is ornamental.

7. Considering the submissions made by the learned counsel for the petitioners, the Petitioner Nos. 1, 4, 5, 6 and 7 above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Rajepur P.S. Case No. 207 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

SUMIT/-

U		T	
---	--	---	--

