

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8897 of 2024

Arising Out of PS. Case No.-132 Year-2023 Thana- KARPURIGRAM District- Samastipur

1. Ajit Kumar Son of Late Maheshwar Bhagat
 2. Vijay Bhagat @ Vijay Kumar Son of Late Maheshwar Bhagat
 3. Prashant Bhagat @ Prashant Kumar Son of Vijay Bhagat @ Vijay Kumar
 4. Bibha Devi @ Bibha Kumari W/o Vijay Bhagat
- All are resident of vill - Adharpur, P.S. - Karpurigram, Distt. - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Gagan Deo Yadav, Advocate Mr.Ravi Prakash, Advocate Mr.Udeshya Kumar Yadav, Advocate Mr.Rajesh Kumar, Advocate
For the Opposite Party/s :		Mr.Arun Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 20-02-2024 Heard Mr. Gagan Deo Yadav along with Mr. Ravi Prakash, Mr. Udeshya Kumar Yadav and Mr. Rajesh Kumar, learned counsels appearing on behalf of the petitioners and Mr. Arun Kumar Pandey, learned APP for the State.

2. Petitioners seek pre-arrest bail in connection with Karpurigram P.S.Case No.132 of 2023 registered for the offences punishable under Sections 341, 323, 307, 354, 379, 504 & 506/34 of the Indian Penal Code.

3. As per the allegation made in the FIR, the petitioners, who are named in the FIR, have assaulted with iron rod on the head of the victims, Parvati Devi and Anita, they also



snatched golden chains and outraged the modesty of the mother of the informant.

4. Learned counsel appearing on behalf of the petitioners submitted that the petitioners and the informant are neighbour. There is land dispute between the parties. The informant's side has implicated the petitioner no.1 in two criminal cases and the petitioners' side have also lodged an FIR and similar allegation has been made by lodging an FIR dated 01.12.2023

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail to the petitioners.

6. Having considered the rival submissions made on behalf of the parties as well as the fact that there is case and counter case between the parties, though the FIR has been lodged by the petitioners' side after a period of 16 days, which has lost its genuineness, however, there is land dispute between the parties and due to enmity, *prima facie*, it appears that the petitioners may have been made accused in the present case. The injury report reveals that the injury is simple in nature, the petitioners are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the learned court below within a period of four weeks from today, on furnishing bail



bond of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned J.M. Ist, Samastipur/concerned court in connection with Karpurigram P.S.Case No.132 of 2023, subject to conditions as laid down under Section 438(2) of the Cr.P.C.

7. The court below is directed to verify the criminal antecedent of the petitioners and if it is found that the petitioners are involved in some other cases as what has been stated in paragraph No.3 of the bail application, this order will automatically lose its force.

(Purnendu Singh, J)

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