

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12211 of 2024

Arising Out of PS. Case No.-334 Year-2023 Thana- DEEPNAGAR District- Nalanda

1. Shailendra Kumar @ Shailendra Yadav Son of Indradev Prasad R/o Village - Navinagar, P.S.- Deepnagar, District- Nalanda.
2. Vikash Kumar Son of Upendra Yadav R/o Village - Navinagar, P.S.- Deepnagar, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shambhu Narayan Singh

For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 12-03-2024 1. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Deepnagar Police Station Case No. 334 of 2023, disclosing offences under Sections 341, 323, 307, 504, 506, 34 of the Indian Penal Code.
3. As per the prosecution case, on 27.07.2023, the petitioner No. 2 assaulted the informant by means of rod and when his uncle tried to save the informant, the petitioner No. 2 assaulted him also by means of rod on his head, due to which he fell on the ground. Then petitioner No. 1 along with Upendra Yadav assaulted informant's uncle by



means of iron rod, lathi etc.

4. Learned Counsel for the petitioners submits that both the parties are co-villagers and the scuffle between them had taken place on the point of quarrel between the children. A counter case has been lodged by the side of the petitioners against the informant and others for an occurrence which has taken place on the same date and time. The FIR lodged by the side of the petitioners is Deepanagar P.S. Case No. 335 of 2023. Both the parties have entered into amicable settlement and a joint compromise petition has been filed before the concerned Court.
5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that both the parties are co-villagers, there is case and counter case between them and a joint compromise petition has been filed, I am inclined to grant the petitioner privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs.



10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bihar Sharif, Nalanda, in connection with Deepnagar Police Station Case No. 334 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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