

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15948 of 2024

Arising Out of PS. Case No.-474 Year-2023 Thana- SAHPUR District- Bhojpur

1. Gayanand Singh Son of Ganga Dayal Singh Resident of village- Birpur, P.S.- Shahpur, District- Bhojpur (Bihar)
2. Kashi Nath Singh Son of Late Isar Dayal Singh Resident of village- Birpur, P.S.- Shahpur, District- Bhojpur (Bihar)
3. Pradip Kumar @ Vivek Samrat Son of Gaya Nand Singh Resident of village- Birpur, P.S.- Shahpur, District- Bhojpur (Bihar)
4. Tar Keshwar Singh Son of Kashi Nath Singh Resident of village- Birpur, P.S.- Shahpur, District- Bhojpur (Bihar)
5. Dilip Kumar @ Shivam Singh Son of Dayanand Singh Resident of village- Birpur, P.S.- Shahpur, District- Bhojpur (Bihar)
6. Kamal Bash Kumar Son of Surendra Singh Resident of village- Birpur, P.S.- Shahpur, District- Bhojpur (Bihar)
7. Mantu Mahto @ Mantu Singh Son of Shiyashish Singh Resident of village- Birpur, P.S.- Shahpur, District- Bhojpur (Bihar)
8. Kamal Kumar Son of Mantu Mahto Resident of village- Birpur, P.S.- Shahpur, District- Bhojpur (Bihar)
9. Ninik Kumar @ Vicki Kumar Son of Nand Kishore Singh Resident of village- Birpur, P.S.- Shahpur, District- Bhojpur (Bihar)
10. Sanny Kumar Son of Kanhaya Singh Resident of village- Birpur, P.S.- Shahpur, District- Bhojpur (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Abhay Kumar Pandey, Advocate
For the State	:	Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 14-03-2024 Heard learned counsels for the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 147, 148, 149, 341, 323, 307, 504 and 506 of the Indian Penal Code and



Section 27 of the Arms Act.

3. As per prosecution case, on 10.10.2023 at about 09:00 AM, all the F.I.R. named accused persons, including these petitioners, came to plough the field of the informant and on objection, all of them attacked on the informant and co-accused Harendra Singh and Dhanji Singh fired from their country made pistols but no one sustained injuries.

4. It is submitted by learned counsel appearing on behalf of the petitioners that that due to previous land dispute between the parties, a free fight took place in which both sides sustained injuries. It is next submitted that there is case and counter-case and case lodged by the petitioners against the prosecution party is earlier in point of time. Allegation of assault is general and omnibus and no specific accusation of overt act has been alleged against these petitioners. Petitioners claim clean antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail.

6. Considering the aforesaid facts and circumstances, nature of accusation, case and counter-case and clean antecedents of the petitioners, the prayer for grant of anticipatory bail to the petitioners is allowed.



7. Accordingly, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioners be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate Ist, Bhojpur, in connection with Shahpur P.S. Case No.474 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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