

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12033 of 2024

Arising Out of PS. Case No.-413 Year-2023 Thana- JOGAPATTI District- West Champaran

1. PREM PRASAD @ PREM KUMAR SON OF BACHHA MAHTO R/O-MISHRAULI GOITA TOLA, WARD NO. 12, P.S.-SHANICHARI O.P., DISTT.-WEST CHAMPARAN
2. AKHILESH PRASAD @ AKHILESH KUMAR SON OF DASHRATH MAHTO R/O-MISHRAULI GOITA TOLA, WARD NO. 12, P.S.-SHANICHARI O.P., DISTT.-WEST CHAMPARAN
3. DASHRATH MAHTO @ DASHRATH PRASAD SON OF SARAL MAHTO R/O-MISHRAULI GOITA TOLA, WARD NO. 12, P.S.-SHANICHARI O.P., DISTT.-WEST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Digvijay Kumar Ojha
For the Opposite Party/s	:	Mr. Anuj Kumar Shrivastava
For the O.P. No. 2	:	Mr. Sanjeev Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 11-03-2024 1. Heard learned counsel for the petitioners and learned A.P.P. for the State along with learned counsel for the O.P. No. 2.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 323, 341, 324, 325, 307, 379 and 34 of the Indian Penal Code.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent. It is further submitted that there is no specific allegation of assault against petitioner no. 3, but the informant alleges that Prem Prasad



assaulted his son by an iron rod on his body and Akhilesh assaulted the informant by rod causing injury on head. It is next submitted that from perusal of the injury report, it would manifest that the injuries suffered by the injured is simple in nature which amply demonstrates that petitioners never had any intention of causing serious injury. It is next submitted that on account of dispute relating to land, the present occurrence is alleged to have taken place but then there is no allegation of repeated blows.

4. Learned A.P.P. for the State along with the learned counsel for the O.P. 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 petitioners that the blow was not repeated and the injury suffered by the injured is simple in nature.

5. Considering the submissions made by the learned counsel for the petitioners, the petitioners 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 Yogapatti
P.S. Case No. 413 of 2023 subject to the conditions as laid down
under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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