

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12294 of 2024

Arising Out of PS. Case No.-652 Year-2023 Thana- KHARHAGPUR District- Munger

1. Anil Singh S/O LATE BALMIKI SINGH R/O VILLAGE- PAHARPUR, PS.- HAVELI KHARAGPUR (SHAMPUR), DIST.- MUNGER.
2. SHEKHAR SINGH S/O GURUDEO SINGH R/O VILLAGE- PAHARPUR, PS.- HAVELI KHARAGPUR (SHAMPUR), DIST.- MUNGER.
3. CHHOTU SINGH S/O ASHOK SINGH R/O VILLAGE- PAHARPUR, PS.- HAVELI KHARAGPUR (SHAMPUR), DIST.- MUNGER.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Narsingh Tanti

For the Opposite Party/s : Mr. Md. Ataur Rahman

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. Learned counsel for the petitioners submits that during the pendency of this application, the petitioner no. 1 has been arrested. Accordingly, he seeks permission to withdraw this application in respect of the petitioner no. 1.
 3. Permission is granted.
 4. The application, in respect of the petitioner no. 1, is dismissed as withdrawn.
 5. In so far as petitioner nos. 2 and 3 are concerned, this



application, for grant of anticipatory bail arises out of Haveli Kharagpur (Shampur O.P.) Police Station Case No. 652 of 2023, dated 12.11.2023, disclosing offences under Sections 341/323/147/307/452/504 of the Indian Penal Code.

6. The prosecution case, as per the First Information Report, is that on 12.11.2023, in the evening, the FIR named accused persons, armed with iron rod, lathi, etc., arrived at the house of the informant and entered into his house. The petitioner no. 2 assaulted the informant by means of lathi on her head causing injury on her shoulder and the petitioner no. 3 assaulted the informant's son, namely, Dharamveer Singh.
7. Learned Counsel for the petitioners submits that both the parties are agnates and several cases of civil and criminal nature are pending between them. He next submits that prior to the present First Information Report, the side of the petitioners have also lodged criminal cases, bearing Haveli Kharagpur (Shampur O.P.) Police Station Case No. 124 of 2021 under Sections 302/120-B/34 of the Indian Penal Code and Haveli Kharagpur (Shampur O.P.) Police Station Case No. 311 of 2023 under Sections



341/323/147/307/452/504 of the Indian Penal Code.

Learned counsel further submits that the petitioners are having no criminal antecedent and injuries caused to the informant and her son are simple in nature, as would be evident from injury report annexed at Annexure-2 series.

8. Regards being had to the submissions made on behalf of the parties and taking into consideration the fact that both the parties are agnates, there is previous dispute between them and injuries caused to the victims seem to be simple in nature, I am inclined to grant the petitioner nos. 2 and 3 privilege of anticipatory bail.
9. Accordingly, the anticipatory bail application in respect of petitioner nos. 2 and 3 is allowed.
10. Let the petitioner nos. 2 and 3, above named, in the event of their arrest or surrender before the Court below within four weeks from today, be released 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-IV, Munger, in connection with Haveli Kharagpur (Shampur O.P.) Police Station Case No. 652 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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