

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15973 of 2024

Arising Out of PS. Case No.-255 Year-2023 Thana- KALYANPUR District- Samastipur

1. Kaushal Roy @ Koshal Ray Son of Late Vashudeo Roy @ Vasudav Yadav R/o Village- Dhruvgama, P.S.- Kalyanpur, District- Samastipur
2. Pawan Roy son of Vijay Roy R/o Village- Dhruvgama, P.S.- Kalyanpur, District- Samastipur
3. Gaya Roy Son of Vijay Roy R/o Village- Dhruvgama, P.S.- Kalyanpur, District- Samastipur
4. Vijay Roy Son of Bihari Roy R/o Village- Dhruvgama, P.S.- Kalyanpur, District- Samastipur
5. Rabin Kumar @ Rabin Roy Son of Vijay Roy R/o Village- Dhruvgama, P.S.- Kalyanpur, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Vinay Kumar Mishra, Advocate
For the State	:	Mr. Akshay Lal Pandit, 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 341, 323, 308, 354B, 379, 504, 506 and 34 of the Indian Penal Code.

3. As per prosecution case, on the alleged date and time of occurrence, all the F.I.R. named accused persons, including these petitioners, armed with weapons, assaulted the informant and his family members. It is further alleged that when the wife of the informant came to save them, Petitioner



No. 2 caught hold of her and Petitioner No. 1 pulled her saree and took away her *Mangalsutra*. It is further alleged that Petitioner Nos. 1 and 4 also snatched cash from the pocket of the informant.

4. It is submitted by learned counsel appearing on behalf of the petitioners that due to previous land dispute between the parties, a simple occurrence of *maar-peet* took place between the parties in which both sides sustained injuries. There is case and counter-case and Kalyanpur P.S. Case No. 257 of 2023 has been lodged against the prosecution party for the same occurrence. 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, 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 Chief Judicial



Magistrate, Samastipur, in connection with Kalyanpur P.S. Case
No.255 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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