

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.20901 of 2024**

Arising Out of PS. Case No.-437 Year-2023 Thana- BARHARIA District- Siwan

1. NAGENDRA BHARTI S/O LATE RAMANAND BHARTI R/O VILLAGE- SAWANA MATHIYA, P.S- BARHARIYA, DISTT.- SIWAN.
2. MANEJAR BHARTI @ MANAGER BHARTI S/O LATE RAMANAND BHARTI R/O VILLAGE- SAWANA MATHIYA, P.S- BARHARIYA, DISTT.- SIWAN.
3. MANJEET BHARTI S/O LATE HRIDYANAND BHARTI R/O VILLAGE- SAWANA MATHIYA, P.S- BARHARIYA, DISTT.- SIWAN.
4. ANKIT BHARTI S/O OM PRAKASH BHARTI R/O VILLAGE- SAWANA MATHIYA, P.S- BARHARIYA, DISTT.- SIWAN.
5. PINTU BHARTI S/O JAY PRAKASH BHARTI R/O VILLAGE- SAWANA MATHIYA, P.S- BARHARIYA, DISTT.- SIWAN.
6. SANDEEP BHARTI @ SANDEEP KUMAR BHARTI S/O LATE RAMANAND BHARTI R/O VILLAGE- SAWANA MATHIYA, P.S- BARHARIYA, DISTT.- SIWAN.
7. PRADEEP BHARTI S/O MANEJAR BHARTI @ MANAGER BHARTI R/O VILLAGE- SAWANA MATHIYA, P.S- BARHARIYA, DISTT.- SIWAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Bijay Prakash Singh, Adv.

For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem, APP

**CORAM: HONOURABLE MR. JUSTICE KHATIM REZA**  
**ORAL ORDER**

2      15-04-2024                      Heard learned counsel for the petitioners and learned  
A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Barharia P.S. Case No. 437 of 2023 dated 13.11.2023 instituted for the offence punishable under Sections 341, 323, 324, 325, 307, 379, 504 and 506/34 of the IPC.

3. As per prosecution case, the petitioners along with other



accused persons, who happen to be agantes of the informant, allegedly assaulted the informant and his family members by means of *Farsa*, *Lathi*, *Danda* etc., causing injury to them. It is also alleged that one co-accused, Pramod Bharti took away cash of Rs. 10,000/- from the pocket of informant.

4. Learned counsel for the petitioners submits that petitioners are innocent and they have been falsely implicated in this case. It is submitted that both the parties are agnates and there is civil dispute between them. There is also a case and counter case between the parties. Prior to the present FIR, a case bearing Barharia PS Case No. 435/2023 was lodged by petitioner no.2, Manjeet Bharti against the informant and others wherein the petitioner no.2 and others had sustained serious injuries. Learned counsel next submits that in order to counter Barharia PS Case No. 435/2023 lodged by petitioner no.2, the present case bearing Barharia PS Case No. 437/2023 has been lodged by the informant with concocted story. Learned counsel further submits that injury reports of injured, namely, Pradeep Bharti, Nitish Kumar Bharti, Madho Bharti and Radho Bharti are on the record which show that there are multiple injuries on the persons of injured. But the allegation of assault by means of *Farsa* on the head of son of informant, Radho Bharti and the



assault inflicted, allegedly, on the head of Pradeep Bharti by means of *Farsa* does not disclose the injuries to be caused by sharp cutting weapon like *Farsa*, though the injury caused to Radho Bharti has been mentioned in the injury report as grievous in nature. Lastly, it has been submitted that the petitioners have only one criminal case against them lodged by the present informant.

5. Learned A.P.P. has opposed the prayer for anticipatory bail of the petitioners.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioners within a period of six weeks from today, in connection with Barharia P.S. Case No. 437 of 2023, they will be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Siwan, subject to conditions as laid down under Section 438(2) of the Cr.P.C.

**(Khatim Reza, J)**

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