

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19452 of 2024

Arising Out of PS. Case No.-255 Year-2023 Thana- KOILWAR District- Bhojpur

1. Mahabharat Rai
2. Krishna Rai
3. Pritam Rai
All son of Late Bharat Rai Village- Balwan Tola Ps- Doriganj Dist- Chapra
... .. Petitioner/s

Versus

The State of Bihar
... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Malti Kumari, Advocate
For the Opposite Party/s : Mr. Indu Kumari Srivastava, APP
Mr. Sanjay Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 09-04-2024 1. Heard learned counsel for the petitioners, learned APP for the State along with learned counsel for the informant.
2. The petitioners seek bail in anticipation of his arrest in a case registered for the offences punishable under Sections 341, 323, 324, 307/34 of the Indian Penal Code.
3. The learned counsel for the petitioners submit that petitioner no.1 and 3 have antecedent of one case and petitioner no.2 has antecedent of two cases, but then the cases have been instituted under minor sections of the IPC.
4. It is further submitted that the petitioner no.1 and 2 are senior citizens, aged about 65 and 62 years and petitioner no.3 is aged about 46 years. It is further submitted that the petitioners have been falsely implicated in the instant case by



the informant with an allegation that the petitioners were destroying his pumpkin field and when the same was objected the accused persons including the petitioners assaulted the informant and his son by sharp edged weapon causing injury. The learned counsel submits that on account of dispute relating to cutting of pumpkin the present occurrence is alleged to have taken place in which both sides assaulted each other. It is further submitted that from perusal of the impugned order it would manifest that the injury was caused by hard blunt substance and are simple in nature. It is thus submitted that petitioners never had any intention of committing a serious occurrence.

5. The learned APP along with the learned counsel for the informant opposes the anticipatory bail application, but then are not in a position to rebut the submission of the learned counsel appearing on behalf of the petitioners that the injury caused to the injured is simple in nature.

6. 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 Court below within a period of six weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the



satisfaction of the learned Chief Judicial Magistrate, Bhojpur,
Ara in connection with Koilwar P.S. Case No.255 of 2023,
subject to the conditions laid down under Section 438(2) of the
Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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