

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22039 of 2024

Arising Out of PS. Case No.-731 Year-2023 Thana- BANKA District- Banka

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1. Guneshwar Pandit S/O- Late Bhithan Mandal R/O- Village- Kamat Sanhaula, P.S.- Banka, Dist.- Banka.
 2. Ghanshyam Pandit S/O- Guneshwar Pandit R/O- Village- Kamat Sanhaula, P.S.- Banka, Dist.- Banka.
 3. Rupesh Pandit @ Rupesh Kumar S/O- Guneshwar Pandit R/O- Village- Kamat Sanhaula, P.S.- Banka, Dist.- Banka.

... .. Petitioner/s

Versus

The State Of Bihar, PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Mishra

For the Opposite Party/s : Mr. Rajendra Prasad Nat

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

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

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 324, 448, 379/34 of the Indian Penal Code.

3. As per the prosecution case, allegation against the petitioners is that they along with other co-accused persons assaulted the informant's side.

4. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He submits that both the parties are agnates and there is land dispute between them. He further submits that the in the impugned order nature



of injury is not mentioned. Petitioners no. 1 and 2 have one criminal antecedent and petitioner no. 3 has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case, arguments of the parties and perusal of the records, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Banka P.S. Case No.731 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

7. However, the learned Court below is directed to verify the nature of the injury of the informant before accepting the bail bond of the petitioners. If it is found that the injury is grievous in nature, then their bail bond shall not be accepted.

(Anjani Kumar Sharan, J)

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