

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21536 of 2024

Arising Out of PS. Case No.-43 Year-2023 Thana- ANTI District- Gaya

1. Purshottam Kumar son of Late Krishna Yadav Resident of Village- Mayapur, P.S. Fatehpur, District- Gaya
2. Kaulej Yadav son of Late Teni Yadav Resident of Village- Mayapur, P.S. Fatehpur, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh, Adv

For the Opposite Party/s : Mr. Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

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

2. Petitioners apprehend arrest in a case registered for the offences punishable under Sections 149, 323, 341, 448, 307, 354, 354B and 379 of the Indian Penal Code.

3. On the alleged date and time of occurrence the petitioner along with co- accused person assaulted the informant and his family members by means of iron rod as a result of which they sustained injury.

4. Learned counsel for the petitioners submits that petitioners and informant are gotiya and due to family dispute simple occurrence of marpit took place. Present case is counter blast of Anti P.S. Case No. 41 of 2023. It is next submitted that injury caused by petitioner no. 2 is simple in nature. Petitioners



have clean antecedent.

5. Learned APP for the state vehemently opposed the bail application and submitted that petitioner no. 1 assaulted the informant with iron rod as a result which he sustained grievous injury.

6. Considering the fact that petitioner no.2 caused simple injury, the anticipatory bail with regard to above named petitioner no. 2 is allowed and it is ordered that let the above named petitioner no. 2 in the event of his arrest/surrender before the court below within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the court of the learned Judicial Magistrate, First Class, Gaya in connection with Anti P. S. Case No. 43 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

7. However, since petitioner no. 1 caused grievous injury to the informant, the anticipatory bail with regard to petitioner no. 1 is rejected.

(Prabhat Kumar Singh, J)

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