

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23352 of 2024

Arising Out of PS. Case No.-420 Year-2023 Thana- FATUA District- Patna

1. Shivpujan Prasad Son of Late Rambabu Rai @ Late Rambabu Prasad Resident of Village- Mpohinuddinpur, Police Station- Fatuha, District- Patna
2. Deepak Kumar @ Deepak Prasad Son of Shivpujan Prasad Resident of Village- Mpohinuddinpur, Police Station- Fatuha, District- Patna
3. Ranjan Kumar @ Ranjan Prasad Son of Shivpujan Prasad Resident of Village- Mpohinuddinpur, Police Station- Fatuha, District- Patna
4. Uttam Kumar @ Uttam Prasad Son of Shivpujan Prasad Resident of Village- Mpohinuddinpur, Police Station- Fatuha, District- Patna
5. Ravindra @ Ravindra Prasad Son of Bhagwan Prasad Resident of Village- Mpohinuddinpur, Police Station- Fatuha, District- Patna
6. Sudarshan @ Sudarshan Kumar @ Sudarshan Prasad Son of Bhagwan Prasad Resident of Village- Mpohinuddinpur, Police Station- Fatuha, District- Patna
7. Manish @ Manish Kumar @ Manish Prasad Son of Bhagwan Prasad Resident of Village- Mpohinuddinpur, Police Station- Fatuha, District- Patna
8. Shambhu @ Shambhu Kumar @ Shambhu Prasad @ Sambhu Kumar Son of Bhagwan Prasad Resident of Village- Mpohinuddinpur, Police Station- Fatuha, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Setu Prateek
For the Opposite Party/s : Mr. Rabindra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 01-05-2024 1. Heard learned counsel for the petitioners, learned A.P.P. for the State, Mr. Rabindra Kumar along with learned counsel appearing on behalf of the informant.
2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 323, 341,



307, 325, 504, 506 and 34 of the Indian Penal Code.

3. Learned counsel for the petitioners submits that petitioner nos. 3 and 4 are persons with clean antecedent and rest of the petitioners have antecedent of one case. The learned counsel further submits that from perusal of the allegation as alleged in the FIR, it would manifest that the informant alleges that on account of pre-existing dispute relating to land, the accused persons including the petitioners came and assaulted him and his side. The learned counsel further submits that no doubt allegation is of assault, but then both sides assaulted each other and from the side of the petitioners Fatuha PS Case No. 421 of 2023 dated 8-6-2023 has been instituted. It is also submitted that the injury suffered by the injured is simple in nature, which amply demonstrates that petitioners never had any intention of committing a serious occurrence. It is also submitted that the allegation of assault is general and omnibus in nature.

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



5. 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 trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Fatuha P.S. Case No. 420 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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