

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30058 of 2024

Arising Out of PS. Case No.-225 Year-2023 Thana- AGIAON District- Bhojpur

1. Dwarika Kahar son of Musaheb Kahar Resident of Village- Katariya PS- Agiaon Bazar District- Bhojpur
2. Umashanker Prasad @ Umashanker Kahar son of Musaheb Kahar Resident of Village- Katariya PS- Agiaon Bazar District- Bhojpur
3. Aklu Kahar @ Dharmendra Kahar son of Umashanker Prasad @ Umashankar Kahar Resident of Village- Katariya PS- Agiaon Bazar District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 20-05-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with
Agiaon Bazar P.S. Case No. 225 of 2023 dated 13.11.2023
instituted for the offence punishable under Sections 341, 323,
307, 504/34 of the Indian Penal Code.

3. The prosecution case, in short, is that on 13.11.2023
at about 6.30 am, when the informant along with others was
irrigating field, then the petitioners along with other accused
persons armed with lathi, danda came there; abused and
assaulted them, due to which informant and Yogendra Kahar



sustained grievous injury in their heads.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. It is further submitted that there is no specific allegation against the petitioner nos. 1 & 2. Allegation against the petitioner nos. 1 & 2 are general and omnibus. So far as petitioner no. 3, namely, Aklu Kahar is concerned, there is specific allegation against him that he assaulted the informant on his head. Learned counsel for the petitioners submits that as per the injury report, nature of injury is simple. There is case and counter case between the parties. Learned counsel for the petitioners submits that both the parties have filed a compromise petition stating therein that due to misunderstanding, the instant F.I.R. was lodged. Lastly, it has been submitted that petitioners have no criminal antecedents.

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 Agiaon Bazar P.S. Case No. 225 of 2023, they will be released on 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 Additional Chief Judicial Magistrate-V, Bhojpur at Ara, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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