

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32091 of 2024

Arising Out of PS. Case No.-932 Year-2023 Thana- BETTIAH CITY District- West
Champaran

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1. Manohar Patel @ Manohar Kumar Son of Harendra Patel R/o Vill. - Baswariya, Pipal Chowk, Ward No.- 21, P.S.- Bettiah Town and District - West Champaran.
 2. Harendra Patel @ Harendra Kumar Son of Late Jhulan Patel R/o Vill. - Baswariya, Pipal Chowk, Ward No.- 21, P.S.- Bettiah Town and District - West Champaran.
 3. Rahul Patel @ Rahul Kumar Son of Late Munna Patel R/o Vill. - Baswariya, Pipal Chowk, Ward No.- 21, P.S.- Bettiah Town and District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mayank Mohan
For the Opposite Party/s : Mr. Nand Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 07-05-2024 Heard learned counsel for the petitioners, Sri Mayank Mohan and learned A.P.P. for the State, Sri Nand Kishore Prasad.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 324, 307, 379, 504 and 34 of the Indian Penal Code.

The learned counsel for the petitioners, at the outset, submits that it is his maiden appearance, as such, if any mistake is committed during the course of argument, the same be condoned by the sweet temper of the Hon'ble Chair.



It is next submitted that from perusal of the allegation as alleged in the F.I.R., it would manifest that the informant alleges that the petitioners who are his *Pattidars* removed the kiosk from his land and damaged the same, further on coming to know about the occurrence he went to the house of the petitioners when it is alleged that Manohar Patel assaulted Subodh Kumar by knife causing injury on his head and right hand, thereafter, it is alleged that Rahul also assaulted the informant by knife on his head and right palm while Harendra is alleged to have caught Subodh Kumar who was assaulted by Manohar Patel. It is next submitted that admittedly the petitioners and the informant are related and on account of dispute relating to land, an altercation took place in which both side assaulted each other. It is further submitted that from perusal of the injury report of Rahul, it would manifest that he received grievous injury, it is thus submitted that a person who was assaulted and inflicted with grievous injury whether could have assaulted the informant in the manner as alleged. It is also submitted that from perusal of the injury report of the injured i.e. informant and others, it would manifest that the injuries suffered by them is simple in nature, which amply demonstrates that the injuries were self inflicted when it was the informant



and his side who assaulted the petitioners and their side.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

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 Bettiah Town P.S. Case No. 932 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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