

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32549 of 2024

Arising Out of PS. Case No.-224 Year-2023 Thana- RAJAPAKAR District- Vaishali

1. Jiten Kumar Son of Ramnaresh Ray Resident of Village- Wariyarpur Ahmadpur, P.S- Rajapakar, District- vaishali
 2. JITESH KUMAR SON OF RAMNARESH RAY Resident of Village- Wariyarpur Ahmadpur, P.S- Rajapakar, District- vaishali
 3. MUNNA KUMAR RAY @ MANISH KUMAR @ MANISH KR. MUNNA @ MUNNA @ MUNNA KR RAY SON OF RAMBHAJAN RAY Resident of Village- Wariyarpur Ahmadpur, P.S- Rajapakar, District- Vaishali
- Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mritunjay Kumar, Advocate
For the Opposite Party/s : Mr. Brajendra Nath Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 30-07-2024 1. 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, 325, 307, 379, 354, 504 and 506/34 of the Indian Penal Code.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and the informant alleges that on account of land dispute, accused persons including the petitioners assaulted his family members. Further, the informant along with his family members were going to the police station for instituting an FIR by an auto when they were intercepted by 15-20 accused on two four wheeler and



petitioners came from behind and thereafter it is alleged that Jitesh Kumar (petitioner no. 2) assaulted the brother-in-law of the informant by an iron rod causing injury on his head, accused Nitesh Kumar ran the vehicle over the leg of his son-in-law causing fracture of his leg, thereafter Munna Kumar Ray (petitioner no. 3) dragged his wife and dashed her on the ground on which she became naked. Further, Jiten Kumar (petitioner no. 1) dashed his daughter on the ground and started pressing her neck by his leg and unknown accused assaulted by lathi, danda and hockey sticks.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant on account of dispute relating to land. It is further submitted that all injuries suffered by the injured are simple in nature but the injury of the mother of the informant is said to be grievous but then it is submitted that from perusal of the allegation as alleged in the FIR, it would manifest that there is no allegation of assaulting the mother of the informant. It is next submitted that had so many people assaulted in the manner as alleged then definitely the injured would have suffered multiple injuries but since the injury suffered is simple in nature which amply demonstrates that petitioners never had any intention of



committing a serious offence. It is also submitted that both sides assaulted each other.

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

6. Considering the submissions made by the learned counsel for the petitioners, let the petitioners above-named, in the event of their arrest or surrender before the learned Court below 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 court below where the case is pending/successor court in connection with Rajapakar P.S. Case No. 224 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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