

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39465 of 2024

Arising Out of PS. Case No.-567 Year-2023 Thana- GOPALPUR District- Bhagalpur

1. Ranjit Harijan son of Dashrath Harijan Village- Narayan Singh Tola Ps- Rangra OP Dist- Bhagalpur
2. Sanjay Harijan son of Dashrath Harijan Village- Narayan Singh Tola Ps- Rangra OP Dist- Bhagalpur
3. Nirmala Devi wife of Dashrath Harijan Village- Narayan Singh Tola Ps- Rangra OP Dist- Bhagalpur
4. Bina Devi @ Veena Devi wife of Ranjit Harijan Village- Narayan Singh Tola Ps- Rangra OP Dist- Bhagalpur
5. Ajita Devi wife of Pankaj Harijan Village- Narayan Singh Tola Ps- Rangra OP Dist- Bhagalpur
6. Kajal Devi wife of Sanjay Harijan Village- Narayan Singh Tola Ps- Rangra OP Dist- Bhagalpur
7. Bablu Harijan son of Thakur Harijan Village- Narayan Singh Tola Ps- Rangra OP Dist- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raghwendra Pratap Singh
For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 26-06-2024 At the outset, it is submitted by learned counsel for the petitioners that during the pendency of this case, petitioner nos. 1, 4 and 7 were arrested and the anticipatory bail application with regard to petitioner nos. 1, 4 and 7 having become infructuous.

2. In view thereof, learned counsel for the petitioners seek permission to withdraw this anticipatory bail application



with regard to petitioner nos. 1, 4 and 7.

3. Permission is accorded.

4. Accordingly, this anticipatory bail application with regard to petitioner nos. 1, 4 and 7 stands dismissed as withdrawn.

5. The present application now subsists only with respect to petitioner nos. 2, 3, 5 and 6.

6. Heard learned counsel for the petitioner nos. 2, 3, 5 and 6 and learned APP for the State.

7. The petitioner nos. 2, 3, 5 and 6 are apprehending their arrest in connection with Gopalpur P.S. Case No. 567 of 2023 instituted for the offences under Sections 147, 149, 341, 323, 324, 307, 379, 504, 506 and 354 of the Indian Penal Code.

8. The allegation against the petitioner nos. 2, 3, 5 and 6 along with others is of brutally assaulted the informant and his family members due to which they sustained injury. It is further alleged that the accused persons have also snatched the articles from informant's family members.

9. Learned counsel appearing on behalf of the petitioner nos. 2, 3, 5 and 6 has submitted that petitioner nos. 2, 3, 5 and 6 are innocent and have committed no offence. Learned counsel for the petitioner nos. 2, 3, 5 and 6 submitted that the



petitioner nos. 2, 3, 5 and 6 have falsely been implicated in the present case. He submitted that both parties are agnates and they are next door neighbour. There is no specific overt act against the petitioner nos. 2, 3, 5 and 6. From the perusal of the injury report, the doctor opined that the injury sustained to the informant is simple in nature. No incriminating article has been recovered from the conscious possession of the petitioner nos. 2, 3, 5 and 6. He further submitted that the other co-accused has already been granted regular bail by this Court vide order dated 26.04.2024 passed in Cr. Misc. No. 27809 of 2024. It is next submitted that the petitioner nos. 2, 3, 5 and 6 have no criminal antecedent.

10. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner nos. 2, 3, 5 and 6.

11. Considering the aforesaid facts and circumstances, let the **petitioner nos. 2, 3, 5 and 6**, in the event of arrest/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/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the Court below/concerned Court in connection with Gopalpur P.S.



Case No. 567 of 2023, subject to the conditions as laid down
under Section 438(2) of the Code of Criminal Procedure.

(Rudra Prakash Mishra, J)

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