

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40648 of 2024

Arising Out of PS. Case No.-126 Year-2023 Thana- AGIAON District- Bhojpur

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1. Aditya Singh @ Aditya Kumar Singh @ Gorakh Singh @ Bala Singh Son of Bala Singh R/O Vill.- Barap, P.S.- Agiaon, Garhari, Dist.- Bhojpur
 2. Pankaj Singh @ Pankaj Kumar Son of Bala Singh R/O Vill.- Barap, P.S.- Agiaon, Garhari, Dist.- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharendra Singh, Advocate

For the Opposite Party/s : Mr. Suresh Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

- 4 25-07-2024 1. Heard learned counsel for the petitioners, learned A.P.P. for the State and learned counsel appearing on behalf of the informant.
2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 307 and 379/34 of the Indian Penal Code.
3. Learned counsel for the petitioners submits that petitioner no. 1 has antecedent of six cases and petitioner no. 2 has antecedent of three cases. It is further submitted that inadvertently at para 3 of the anticipatory bail application, it was recorded that petitioners have criminal antecedent of three cases but then a supplementary affidavit has been filed bringing on record the antecedent of the petitioners. It is next submitted that



most of the cases have been instituted against the petitioners from the side of the informant. It is also submitted that informant alleges that Aditya Singh (petitioner no. 1) assaulted the informant by *baishakhi* causing injury on his head while Pankaj Singh (petitioner no. 2) assaulted his father-in-law.

4. Learned counsel for the petitioners submits that on account of dispute relating to land, the present occurrence is alleged to have taken place in which both sides assaulted each other. It is further 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.

5. Learned A.P.P. for the State and learned counsel appearing on behalf of the informant opposed the prayer for anticipatory bail of the petitioners but then are not in a position to rebut the submissions of the learned counsel appearing on behalf of the petitioners that the injury suffered by the injured is simple in nature.

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.25,000/-
(Rupees Twenty-five 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
Agiaon (Garahari) P.S. Case No. 126 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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