

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.43977 of 2024**

Arising Out of PS. Case No.-208 Year-2020 Thana- BALIYA District- Begusarai

1. Sanjay Kumar Son Of Late Gabbar Singh @Ugeshwar Mahto Village-Husaina Diyara, Ps- Ballia, Dist- Begusarai
2. Nitish Kumar Son Of Late Gabbar Singh @ Ugeshwar Mahto Village-Husaina Diyara, Ps- Ballia, Dist- Begusarai
3. Vinay Kumar Son Of Late Gabbar Singh @ Ugeshwar Mahto Village-Husaina Diyara, Ps- Ballia, Dist- Begusarai
4. Rakesh Kumar Son Of Late Gabbar Singh @ Ugeshwar Mahto Village-Husaina Diyara, Ps- Ballia, Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Shubhesh Pandey  
For the Opposite Party/s : Mrs. Sharda Kumari

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

4      30-09-2024                      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 offence under Sections 341, 323, 307, 427, 379/34 of the Indian Penal Code.

3. As per F.I.R., on 25.07.2020 at 8 AM, all the F.I.R. named accused persons including these petitioners and 4-5 unknown persons assaulted the informant with iron rod and lathi. It is further alleged that on the order of petitioner no. 1, petitioner no. 2 (Nitish Kumar) assaulted the informant with iron rod, due to which, informant sustained injury on his head.



4. Learned counsel for the petitioners submits that present case is counter blast of Ballia P.S. Case No. 187 of 2020, lodged from petitioners' side against informant and others, in which, father of petitioners was done to death. He further submits that as per F.I.R., though petitioner no. 2 is alleged to have assaulted with iron rod on the head of the informant, but the doctor has found simple injury. So far as other petitioners are concerned, there is no specific allegation of overt act against them.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail.

6. Considering the nature of injury, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioners be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Begusarai in connection with Ballia P.S. Case No. 208 of 2020, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Prabhat Kumar Singh, J)**

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