

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40697 of 2024

Arising Out of PS. Case No.-16 Year-2024 Thana- DORIGANJ District- Saran

1. SARAOJ RAI @ SAROJ RAWAT SON OF LATE FARINDRA RAI @ LATE FARINDRA RAUT RESIDENT OF VILLAGE - KAJIPUR, P.S. - DORIGANJ, DISTRICT - SARAN, BIHAR, BHARAT
2. DHANESH RAI SON OF YOGENDRA RAI RESIDENT OF VILLAGE - KAJIPUR, P.S. - DORIGANJ, DISTRICT - SARAN, BIHAR, BHARAT
3. PINTU RAI SON OF SAROJ RAI @ SAROJ RAWAT RESIDENT OF VILLAGE - KAJIPUR, P.S. - DORIGANJ, DISTRICT - SARAN, BIHAR, BHARAT
4. NAVIN RAI @ NAVIN KUMAR SON OF SAROJ RAI @ SAROJ RAWAT RESIDENT OF VILLAGE - KAJIPUR, P.S. - DORIGANJ, DISTRICT - SARAN, BIHAR, BHARAT
5. PREMSHILA DEVI WIFE OF SAROJ RAI @ SAROJ RAWAT RESIDENT OF VILLAGE - KAJIPUR, P.S. - DORIGANJ, DISTRICT - SARAN, BIHAR, BHARAT
6. PRATIMA DEVI @ PRATIMA KUMARI WIFE OF PINTU RAI RESIDENT OF VILLAGE - KAJIPUR, P.S. - DORIGANJ, DISTRICT - SARAN, BIHAR, BHARAT

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Chandra Gandhi, Advocate
For the Opposite Party/s : Mr. Tapeswar Sharma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 4 03-09-2024 1. Learned counsel for the petitioners submits that the prayer for anticipatory bail of the petitioner no. 3, namely, Pintu Rai was already withdrawn by an order dated 05.07.2024.
2. Heard learned counsel for the petitioners, learned A.P.P. for the State and learned counsel appearing on behalf of the informant.
3. The petitioners apprehend their arrest in a case



registered for the offences punishable under Sections 341, 323, 324, 307, 504 and 506/34 of the Indian Penal Code.

4. Learned counsel for the petitioners submits that rest five petitioners are persons with clean antecedent and petitioners no. 5 and 6 are women.

5. The informant alleges that accused persons including the petitioners on account of dispute relating to land assaulted him and his son by bricks, spade, lathi etc. causing injury on his head.

6. Learned counsel for the petitioners submits that petitioners on account of dispute relating to land have been falsely implicated in the present case. It is further submitted that petitioner no. 1 and informant are own brothers and are having land dispute. It is next submitted that an altercation took place on account of dispute relating to land in which both sides assaulted each other. It is also submitted that even presuming what has been alleged is true without admitting then the injury suffered by the injured is simple in nature as would manifest from Annexure-3 to the anticipatory bail application. It is further submitted that apart from the informant, no one had received any injury.

7. 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 submission of the learned counsel appearing on behalf of the petitioners that petitioner no. 1 and the informant are brothers and the injuries suffered by the brother is simple in nature.

8. Considering the submissions made by the learned counsel for the petitioners no. 1, 2, 4, 5 and 6, let the petitioners no. 1, 2, 4, 5 and 6 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 Doriganj P.S. Case No. 16 of 2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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