

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43049 of 2024

Arising Out of PS. Case No.-126 Year-2020 Thana- FATEHPUR District- Gaya

1. Sunder Prasad @ Sundra Prasad, S/O Chet Prasad R/O Village- Nawadiha, Sultanpur, P.S. Fatehpur, District Gaya
2. Vikash Kumar S/O Sunder Prasad R/O Village- Nawadiha, Sultanpur, P.S. Fatehpur, District Gaya
3. Mukesh Kumar S/O Sunder Prasad R/O Village- Nawadiha, Sultanpur, P.S. Fatehpur, District Gaya
4. Bachchi Devi W/O Sunder Prasad R/O Village- Nawadiha, Sultanpur, P.S. Fatehpur, District Gaya

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Syed Asgher Najmi

For the Opposite Party/s : Mr.Abhay Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 04-09-2024 1. Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 147, 323, 324, 307, 379, 504 and 427 of the Indian Penal Code.

3. The learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and petitioner no.4 is a woman and the informant alleges that on 17.06.2020 at about 7.30 P.M., the accused persons including the petitioners



entered his house and started assaulting him with *danda* and bricks causing injury on his eyebrow and he fell down and when his brother came to rescue him, it is alleged that Mukesh assaulted him with bricks on leg and thereafter, Vikash and Pintu fled with some important documents.

4. The learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case. It is next submitted that from perusal of the allegation as alleged in the F.I.R., it would manifest that it appears that the occurrence took place on account of dispute relating to land. It is also submitted that injury suffered by the injured is simple in nature and is not on vital part of the body, which amply demonstrates that petitioners never had any intention of committing a serious occurrence. It is next submitted that Vikash and Pintu are not alleged to have assaulted.

5. Learned A.P.P. opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/-



(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-Xth, Gaya in connection with Fatehpur P. S. Case No.126 of 2020, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

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