

Arising Out of PS. Case No.-43 Year-2024 Thana- BHAGWANGANJ District- Patna

- Petitioner/s

Versus

The State Of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Sinha

For the Opposite Party/s : **Mr.Abhay Kumar Roy**

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 06-08-2024 1. 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 offences punishable under Sections 341, 323, 307, 504, 506 and 34 of the Indian Penal Code.

3. Learned counsel for the petitioners seeks permission to withdraw the anticipatory bail application with respect to petitioner No. 4, Suresh Kumar.

4. Permission is accorded.

5. Learned counsel for the petitioners submits that



petitioners are persons with clean antecedent and the informant alleges that his cousin Bilendra Kumar (Petitioner No. 1) took him to the market and insisted to consume wine to which the informant objected on account of which a heated altercation took place and thereafter informant came back home but on the same day at 9:00 PM, all the accused persons including the petitioners came variously armed and assaulted the informant, his father and his brother on account of which they sustained several injuries.

6. Learned counsel for the petitioners submits that from perusal of allegation as alleged in the FIR, it would manifest that the allegation of assault is general and omnibus in nature. It is next submitted that petitioners are cousin brothers of the informant. It is also submitted that the parties are having dispute relating to land on account of which an altercation had taken place in which both sides assaulted each other. It is next submitted that from the sides of the petitioners also Bhagwanganj PS Case No. 49 of 2024 has been instituted. It is next submitted that no doubt Devendra Mahto has received injury on head and the opinion with regard to the injury has been reserved, but then no specific allegation is alleged against any of the accused persons of assaulting rather the allegation of



assault is general and omnibus in nature and the parties are related.

7. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

8. Considering the submissions made by the learned counsel for the petitioners, the petitioner Nos. 1, 2 and 3, above-named, in the event of their arrest or surrender before the learned trial court 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 trial court where the case is pending/successor court in connection with Bhagwanganj P.S. Case No. 43 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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