

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45946 of 2024

Arising Out of PS. Case No.-79 Year-2024 Thana- TEKARI District- Gaya

1. Shayam Sundar Prasad, Son Of Khelawan Mahto Village- Chainpura, P.S.- Tekari (Panchanpur), Distt.- Gaya, Bihar
2. Navin Kumar, Son Of Shayam Sundar Prasad Village- Chainpura, P.S.- Tekari (Panchanpur), Distt.- Gaya, Bihar
3. Ravindra Prasad, Son Of Ram Khelawan Mahto Village- Chainpura, P.S.- Tekari (Panchanpur), Distt.- Gaya, Bihar
4. Kushum Devi @ Putush Devi, W/O- Shyamsundar Prasad Village- Chainpura, P.S.- Tekari (Panchanpur), Distt.- Gaya, Bihar

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Yadav
For the Opposite Party/s : Mr.Shahabuddin Azeem @ S. Azeem
Mr.Praveen Kumar
Ms.Kumari Seema Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 05-07-2024 1. Heard learned counsel for the petitioners, learned

counsel for the informant and learned APP for the State.

2. The learned counsel for the petitioners, at the outset, seeks permission to withdraw the present anticipatory bail application with respect to petitioner no.1, namely, Shayam Sundar Prasad.

3. Permission is accorded.

4. Accordingly, instant petition is dismissed as withdrawn with respect to petitioner no.1, namely, Shayam Sundar Prasad.



5. The rest petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 341, 323, 324, 307, 379, 354, 504, 506 and 34 of the Indian Penal Code.

6. The learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and petitioner no.4 is a woman and on account of dispute relating to land, the petitioner nos.1 and 3 are alleged to have assaulted the husband of the informant by an iron rod causing injury on head and when informant came to save her husband, she was also assaulted along with her daughter by petitioner nos.1, 2 and 4. Further, petitioner no.2 assaulted her husband causing injury on nose.

7. The learned counsel for the petitioners submits that during the course of investigation, it transpired that the husband of the informant was assaulted by petitioner no.1. It is further submitted that no doubt, allegation of assaulting the informant and her daughter is against petitioner nos.2 and 4 also, but then, the same is ornamental in nature. It is also submitted that though there is allegation of assaulting the husband of the informant by petitioner no.2 causing injury on nose, but then, the F.I.R. does not disclose that as to how the petitioner no.2 assaulted her husband. It is also submitted that the injury found on the nose is



simple in nature, which amply demonstrates that petitioner no.2 never had any intention of committing a serious crime.

8. Learned the learned counsel appearing on behalf of the informant as well as learned A.P.P. opposes the anticipatory bail application.

9. 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 A.C.J.M.-VI, Gaya in connection with Tekari P. S. Case No.79 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

10. The application stands allowed.

(Satyavrat Verma, J)

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