

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43143 of 2024

Arising Out of PS. Case No.-2 Year-2024 Thana- BUNIYAD GANJ District- Gaya

Ajay Bharti S/o Vidyanand Bharti R/o Village-Kukiyasin, P.O.-Bijubigha,
P.S.-Buniyadganj, District-Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ujjawal Kumar Singh, Advocate

For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 10-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Buniyadganj P.S. Case No. 02 of 2024 dated 02.01.2024
instituted for the offence punishable under Sections 147, 148,
149, 341, 342, 323, 307, 379, 504, 506 of the Indian Penal Code
and Section 27 of the Arms Act.

3. The prosecution case, in short, is that on the alleged
date of occurrence, when the informant objected the wrong
measurement of farm land by a private amin, the petitioner
along with other accused persons assaulted the informant and
his family members with iron rod, lathi-danda etc.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this



case. It is further submitted that there is no specific allegation against the petitioner. Specific allegation is against co-accused Vishal Bharti who assaulted on the head of the informant by means of iron rod. Allegation against the petitioner is that he along with Aditya Bharti assaulted the informant, but the injury report of the informant shows that injury is simple in nature. Both the sides are agnates and there is case and counter case between the parties. Learned counsel for the petitioner further submits that co-accused Aditya Bharti also filed a case bearing Buniyadganj P.S. case No. 1 of 2024 against the informant's side. The present case has been lodged after the case of the petitioner. Learned counsel for the petitioner submits that the petitioner has received fractured injury in his left hand for which he was treated in ANMCH, Gaya. Lastly, it has been submitted that petitioner has one criminal case against him.

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

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Buniyadganj P.S. Case No. 02 of 2024, he will be released on bail upon furnishing bail



bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate- 1st Class, Gaya subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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