

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45017 of 2024

Arising Out of PS. Case No.-165 Year-2023 Thana- DHANSOI District- Buxar

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1. Jitendra Shukla @ Jeetendra Shukla S/o Shri Bihari Shukla @ Bihari Shukla R/o vill - Parvat Chak, P.S. - Dhansoi, District - Buxar
 2. Shivendra Shukla S/o Shri Bihari Shukla @ Bihari Shukla R/o vill - Parvat Chak, P.S. - Dhansoi, District. - Buxar
 3. Shachindra Shukla S/o Shri Bihari Shukla @ Bihari Shukla R/o vill - Parvat Chak, P.s. - Dhansoi, District. - Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satyapal Singh, Advocate
For the Opposite Party/s : Mr. Uday Chand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 06-09-2024

1. Heard learned counsel for the parties.

2. The petitioners have preferred this application for grant of anticipatory bail apprehending their arrest in connection with Dhansoi P.S. Case no. 165 of 2023 registered under sections 307, 147, 148, 149, 341, 323, 447, 504 and 506 of the Indian Penal Code and section 27 of the Arms Act.

3. As per the prosecution case, the informant states that the six named accused persons including the three petitioners herein came variously armed, started to abuse and assault the informant and the members of his family. It is stated that the petitioner no.1 struck Ghanshyam Yadav with an iron



baishakhi as a result of which he sustained injuries near his eyes. The other accused including the petitioner nos.2 and 3 also assaulted.

4. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the case. There is case and counter case between the parties and co-accused Atindra Shukla has been enlarged on anticipatory bail vide order dated 14.3.2024 passed in Cr. Misc. no.15641 of 2024. The petitioners have no criminal antecedent.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. A report was called for with respect to the injuries sustained by Ghanshyam Yadav, according to which one of the injuries have been found to be grievous in nature.

7. Having heard learned counsel for the parties and having perused the allegations against the petitioner no. 1, who is said to have assaulted Ghanshyam Yadav causing grievous injury, in the facts and circumstances of the case, the Court is not inclined to enlarge the petitioner no.1 Jitendra Shukla on anticipatory bail and the application is rejected.

8. The petitioner no.1, namely Jitendra Shukla is directed to surrender in the learned Court below within a period



of four weeks.

9. Having heard learned counsel for the parties and taking into consideration the general and omnibus allegation against the other two petitioners, grant of bail to co-accused Atindra Shukla by the aforesaid order dated 14.3.2024 and the petitioners not having any criminal antecedent, it is directed that the petitioner no.2 Shivendra Shukla and petitioner no.3 Shachindra Shukla, in the event of their arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Dhansoi P.S. Case no. 165 of 2023 on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Buxar.

(Partha Sarthy, J)

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