

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46874 of 2024

Arising Out of PS. Case No.-14 Year-2024 Thana- VISHAMBHARPUR District- Gopalganj

1. Ram Ayodhya Prasad Son of Late Harihar Prasad R/O Vill.- Rupchhap, P.S.- Vishambharpur, Dist.- Gopalganj
2. Birendra Prasad Son of Late Harihar Prasad R/O Vill.- Rupchhap, P.S.- Vishambharpur, Dist.- Gopalganj
3. Varun Kumar Son of Ram Ayodhya Prasad R/O Vill.- Rupchhap, P.S.- Vishambharpur, Dist.- Gopalganj
4. Vasant Kumar @ Vasant Kushwaha Son of Birendra Prasad R/O Vill.- Rupchhap, P.S.- Vishambharpur, Dist.- Gopalganj

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Dubey

For the Opposite Party/s : Mr.Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 12-08-2024 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 147, 148, 149, 307, 323, 324, 341, 342, 354B, 379, 448, 427, 504 and 506 of the Indian Penal Code.

3. Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the informant alleges that on 10-2-2024 while he was constructing pillars upon his land when all the accused persons along with petitioners and



20-30 unknown accused came variously armed and started abusing. It is next alleged that Varun Kumar assaulted the informant by *farsa* causing injury on head, thereafter Birendra caught the wife of the informant by her hair and slammed her on the ground and also torn her cloths, thereafter one accused among the unknown assaulted the son of the informant by knife. It is next alleged that all accused persons committed theft in the house and shop of the informant and Ram Ayodhya Prasad took Rs. 12,000/- from the cash counter and the other accused damaged the motorcycle worth Rs. 1,20,000/- and Priti Kumar snatched the *mangalsutra* of the wife of the informant worth Rs. 50,000/-.

4. Learned counsel for the petitioners submits that petitioners and informant are agnates and on account of dispute relating to land, the present false case came to be instituted. It is next submitted that even presuming what has been alleged is true without admitting then all injured suffered simple injury caused by hard and blunt substance, as would manifest from injury report (Annexure-3), it is thus submitted that allegations of assault by knife gets belied. It is also submitted that one injury of Anita Devi is opined to be grievous which is hairline fracture of triquetrum bone of left wrist, which is a non-vital



part of the body.

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

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 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 Vishambharpur P.S. Case No. 14 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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