

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45359 of 2024

Arising Out of PS. Case No.-14 Year-2024 Thana- Hathiyav District- Sheikhpura

1. Dheeraj Kumar Son Of Surendra Singh Village- Hathiyawan, Ps- Hathiyawan, Dist- Sheikhpura
2. Suraj Kumar Son Of Gridhar Prasad Village- Hathiyawan, Ps- Hathiyawan, Dist- Sheikhpura
3. Pankaj Kumar @ Golu Son Of Binod Kumar Village- Hathiyawan, Ps- Hathiyawan, Dist- Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhav Raj

For the Opposite Party/s : Mr. Ravindra Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 01-07-2024 1. Heard learned counsel for the petitioners and learned A.P.P. Mr. Ravindra Kumar along with learned counsel counsel appearing on behalf of the informant.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 147, 148, 149, 341, 323, 324, 307, 448, 379, 427, 504 and 506 of the Indian Penal Code.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and have been falsely implicated in the instant case by the informant with an allegation that 20-25 accused persons along with petitioners entered the house of the informant variously armed and thereafter assaulted his father with rifle, iron rod etc. with an



intention to kill him causing injury all over body including head and when the informant tried to save his father, he was also assaulted by the petitioners. Further, the accused persons also snatched the golden chain from the neck of his father, on alarm, the villagers started gathering, when the accused fled.

4. The learned counsel submits that from the side of the petitioners also Hathiawa P.S. Case No.15/2024 has been instituted against the side of the informant and others with an allegation that the side of the petitioners were assaulted by the side of the informant, which led to grievous injury. It is further submitted that from perusal of the injury report of the injured, it would manifest that the injury no.1,2,3 are simple and injury no.4 is grievous in nature but then the injury no.4 is abrasion over left palm near wrist joint with swelling (diffuse) and tenderness measuring 1"x1/4". It is further submitted that petitioner no.1 works on contract basis in the office of D.D.C. Office, Sheikhpura as an Executive Assistant and petitioner no.2 is working as an Executive Assistant in Electricity Department, Sheikhpura and the petitioner no.3 is a Data Entry Operator in Nagar Parishad, Warsaliganj since 2019. It is further submitted that petitioners are working with the government, as such, they came to be implicated in the instant case when the dispute is



with respect to recently concluded Lok Sabha election, as stated in para-10 of the anticipatory bail application.

5. Learned A.P.P. Mr. Ravindra Kumar and the learned counsel appearing on behalf of the informant opposes the prayer for anticipatory bail of the petitioners but then are not in a position to rebut the submission of the learned counsel for the petitioners that only one injury on non-vital part of the body is said to be grievous and the allegation of assault is also general and omnibus in nature.

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 Court below 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 learned trial court where the case is pending/successor court in connection with Hathiawa P.S. Case No.14/2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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