

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48808 of 2024

Arising Out of PS. Case No.-1132 Year-2023 Thana- TURKAULIYA District- East
Champaran

1. SURENDRA BHAGAT SON OF MISHRI BHAGAT VILLAGE- SEMRA BHOLA TOLA, P.S.- TURKAULIYA, DISTT.- EAST CHAMPARAN
2. MISHRI BHAGAT SON OF LATE SARJUG BHAGAT VILLAGE- SEMRA BHOLA TOLA, P.S.- TURKAULIYA, DISTT.- EAST CHAMPARAN
3. RAM BHAGAT @ RAMU BHAGAT @ RAMU KUMAR BHAGAT SON OF BIKARMA BHAGAT VILLAGE- SEMRA BHOLA TOLA, P.S.- TURKAULIYA, DISTT.- EAST CHAMPARAN
4. BIKARMA BHAGAT SON OF LATE BHARAT BHAGAT VILLAGE- SEMRA BHOLA TOLA, P.S.- TURKAULIYA, DISTT.- EAST CHAMPARAN
5. GAYATRI DEVI WIFE OF RAM BHAGAT @ RAMU BHAGAT @ RAM KUMAR BHAGAT VILLAGE- SEMRA BHOLA TOLA, P.S.- TURKAULIYA, DISTT.- EAST CHAMPARAN
6. SONI DEVI WIFE OF SURENDRA BHAGAT VILLAGE- SEMRA BHOLA TOLA, P.S.- TURKAULIYA, DISTT.- EAST CHAMPARAN
7. KUSUM KUMARI D/O- MISHRI BHAGAT VILLAGE- SEMRA BHOLA TOLA, P.S.- TURKAULIYA, DISTT.- EAST CHAMPARAN
8. DEWNATI DEVI @ DEWANI DEVI WIFE OF MISHRI BHAGAT VILLAGE- SEMRA BHOLA TOLA, P.S.- TURKAULIYA, DISTT.- EAST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Asif Kalim
For the Opposite Party/s : Ms. Renu Kumari

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 23-07-2024 1. Heard learned counsel for the petitioners, learned
A.P.P. for the State and the learned counsel appearing on behalf
of the informant, Sri Sunil Kumar No. III.
2. The petitioners apprehend their arrest in a case



registered for the offences punishable under Sections 147, 149, 447, 341, 323, 324, 325, 307, 379, 504 and 506 of the Indian Penal Code.

3. Learned counsel for the petitioners, at the outset, seeks permission to withdraw the present anticipatory bail application with respect to petitioner no. 5 (Gayatri Devi).

4. Permission is accorded.

5. Accordingly, the present anticipatory bail application is dismissed as withdrawn with respect to petitioner no. 5.

6. Learned counsel for the petitioners submits that petitioner nos. 1 and 2 have antecedent of three cases, petitioner no. 3 has antecedent of one case and petitioner nos. 4, 6 and 7 are persons with clean antecedent and petitioner nos. 6 and 7 are women. It is further submitted that on account of dispute relating to land, an altercation had taken place in between the parties, when the occurrence is alleged to have taken place and the informant alleges that Surendra Bhagat assaulted the informant with *gandasa* causing injury on head, thereafter Ram Bhagat and Bikram assaulted Hira with an iron rod causing fracture of hand and thereafter rest of the accused also assaulted the side of the informant. It is next submitted that the injury



suffered by the injured is simple in nature which amply demonstrates that petitioners never had any intention of committing a serious occurrence though assault is alleged to have been caused on the vital part of the body of the informant but then the blow is not said to be repeated. It is also submitted that the cases against the petitioner nos. 1 and 2 have been instituted by Kalawati Devi, i.e. the instant informant. It is, thus, submitted that petitioners are not criminals.

7. Learned A.P.P. for the State and the learned counsel appearing on behalf of the informant opposes the prayer for anticipatory bail of the petitioners, but are not in a position to rebut the submissions of the learned counsel appearing on behalf of the petitioners that the injury suffered by the injured is simple in nature.

8. 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



Turkauliya P.S. Case No. 1132 of 2023 subject to the conditions
as laid down under Section 438 (2) of the Cr.P.C.

9. Accordingly, the instant anticipatory bail
application stands allowed.

(Satyavrat Verma, J)

Rishabh/-

U		T	
---	--	---	--

