

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50008 of 2024

Arising Out of PS. Case No.-110 Year-2024 Thana- HILSA District- Nalanda

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1. Shambhu Saw Son Of Ramajatan Saw Village- Bhokilapar Ps- Hilsa, Dist- Nalanda
 2. Renu Devi Wife Of Shambhu Saw Village- Bhokilapar Ps- Hilsa, Dist- Nalanda
 3. Shivalak Kumar @ Shivalak Saw Son Of Bundel Saw Village- Jagai, Ps- Akangar Sarai Dist- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satish Chandra, Advocate

For the Opposite Party/s : Mr.Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 28-08-2024 Learned counsel for the petitioners submits that petitioner no. 2 Renu Devi has been arrested and the present anticipatory bail petition on her behalf has become infructuous and seeks permission to withdraw the present petition on behalf of petitioner no. 2 Renu Devi.

2. Permission is accorded.

3. Accordingly, the present petition on behalf of petitioner no. 2 Renu Devi has been dismissed as withdrawn.

4. Heard learned counsel for the petitioners and



learned APP for the State.

5. In the present case, the petitioner nos. 1 and 3 are apprehending their arrest in connection with Hilsa P.S. Case No. 110 of 2024, registered on 18.02.2024 for the offences under Sections 341, 323, 324, 307, 354, 354B, 380, 504, 506/34 of the Indian Penal Code.

6. As per prosecution case, the allegation against the petitioners is that of assaulting the informant and his family members with iron rod. The informant and his wife received a number of injuries.

7. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. The petitioner no. 1 and the informant are brothers and the occurrence took place in the background of land dispute as is apparent from the FIR. There is a counter version of the case being Hilsa P.S. Case No. 92 of 2024 which was registered for the occurrence of the same day against the informant and his family members for assaulting the petitioners and the petitioner no. 1 suffered a head injury in assault by the informant of this case. Co-accused Renu Devi also suffered bleeding injury. The injury caused by the petitioners are simple in nature. Learned counsel further submits petitioner no. 1 is



having no criminal antecedent whereas petitioner no. 3 is having criminal antecedent of one case in which he is on bail.

8. Learned APP opposes the submission made on behalf of the petitioners.

9. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the background of land dispute and case and its counter version and further considering the simple nature of injury, let the petitioner nos. 1 and 3 above named, in the event of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Hilsa, Nalanda/concerned court in connection with Hilsa P.S. Case No. 110 of 2024, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

(i) One of the bailors will be a close relative of the petitioners.

(ii) The petitioners will remain present on each and every date fixed by the



court below, if so required by the
learned trial court.

(Arun Kumar Jha, J)

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