

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51435 of 2024

Arising Out of PS. Case No.-1 Year-2024 Thana- VISHNUPAD District- Gaya

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1. Bambam Gurda @ Shubham Kumar Gurda Son Of Lalan Gurda @ Lalan Lal Gurda R/O- Ward No. 40 Vishnupad Temple, P.S.- Vishnupad, Distt.- Gaya
 2. Mundu Gurda @ Ankit Kumar Son Of Babua Gurda R/O- Ward No. 40 Vishnupad Temple, P.S.- Vishnupad, Distt.- Gaya
 3. Ayush Gurda Son Of Bachchulal Gurda R/O- Ward No. 40 Vishnupad Temple, P.S.- Vishnupad, Distt.- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate

For the Opposite Party/s : Mr. Jagdhar Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 21-08-2024 Heard learned Counsel for the petitioners, learned
counsel for the informant and learned APP for the State.

2. The petitioners are apprehending arrest in connection with Vishnupad P.S. Case No. 01 of 2024 registered on 01.01.2024 for the offences punishable under Sections 341, 323, 325, 308, 379 and 504/34 of the Indian Penal Code.

3.As per the FIR, it transpires that there are in total 10 accused persons in the present case against whom there is an allegation that they have assaulted the informant due to which the informant received injury upon his head and hand.

4. Learned counsel for the petitioners submits that the



petitioners are innocent and have committed no offence. He submits that the specific allegation against the accused Premnath Taiya and Lalan Lal Gurda to assault by lathi and rod on the head of the informant. He submits that against the present petitioners there are nothing specific by which injury has been caused on the head and hand. He further submits that from the content of the FIR it becomes crystal clear that informant and petitioners are both *Pandas* of Gaya and with a view to snatching the *yajman* the scuffle and hot discussion took place between both the sides. He has specifically pleaded in Paragraph No. 10 of the bail petition that the entire occurrence was recorded in CCTV footage by which it shall become crystal clear that the scuffle took place by virtue of hot discussion and the injury has been caused due to the reason that the victim fell down. Counsel submits that the petitioners have got clean antecedent.

5. Learned counsel for the informant vehemently opposes the prayer for anticipatory bail and submits that there is specific allegation of assault on the head and hand due to which grievous injury has been caused.

6. Learned APP for the State also opposes the prayer for bail of the petitioners.



7. In the present facts and circumstances, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 6 weeks from today, on furnishing bail bond of ₹30000/- (thirty thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gaya, in connection with Vishnupad P.S. Case No. 01 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dr. Anshuman, J.)

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