

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52508 of 2024

Arising Out of PS. Case No.-453 Year-2023 Thana- TAJPUR District- Samastipur

1. Amrendra Kumar S/O- Baijnath Ray R/o Village- Indrawara Baburbani, Ps- Tajpur, Dist- Samastipur
2. Sanju Devi Wife Of Baijnath Ray Village- Indrawara Baburbani, Ps- Tajpur, Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Om Prakash Om, Advocate

For the Opposite Party/s : Mr. Rajendra Singh, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 06-09-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with
Tajpur (Halai O.P.) P. S. Case No. 453 of 2023 instituted for the
offence punishable under Sections 447,448, 341, 323, 307, 354,
379, 504 and 506/34 of the Indian Penal Code.

3. Allegation against the petitioner No.1 is of
assaulting the son of the informant, namely, Alok with *Farsa*
and allegation against the petitioner No.2 is of assaulting the
husband of the informant, namely, Surendra Rai with *Musal*
causing fracture of his hand.

4. Learned counsel for the petitioners submits that the



petitioners are innocent and they have been falsely implicated in this case. It is further submitted that there is specific allegation against petitioner No.1 of assaulting the son of the informant, with *Farsa*, but the injury report reveals that the said injury is caused by blunt object and nature of injury is grievous. The injury report has not corroborated the allegation against the petitioner No.1. It is also submitted that the alleged injury of the husband of the informant is not available on the record. It is submitted that husband of the informant and husband of the petitioner No.2 are full brothers. There is land dispute between the parties. It is submitted that there is case and counter case between the parties. The present case is a counter blast of Tajpur (Halai O.P.) PS Case No. 452 of 2023 registered under Sections 147,148,447, 448, 341, 323, 307, 379, 354 and 504 of the Indian Penal Code lodged by the petitioner No.2, namely, Sanju Devi against the informant and others. Lastly, it has been submitted that petitioners have no criminal antecedents.

5. Learned APP has opposed the prayer for anticipatory bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within



six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, Samastipur, in Tajpur (Halai O. P.) P. S. Case No. 453 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

7. The application stands allowed.

(Khatim Reza, J)

shyambihari/-

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

