

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54316 of 2024

Arising Out of PS. Case No.-648 Year-2023 Thana- WAJIRGANJ District- Gaya

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1. KARU SINGH S/O KAMLA SINGH All Resident of Village- Eru, Police Station- Wazirganj, District- Gaya
 2. SHRI RAM SINGH S/O LATE RAMSWARATH SINGH All Resident of Village- Eru, Police Station- Wazirganj, District- Gaya
 3. JAI RAM SINGH S/O LATE RAMSWARATH SINGH All Resident of Village- Eru, Police Station- Wazirganj, District- Gaya
 4. RAJENDRA KUMAR S/O SRI RAM SINGH All Resident of Village- Eru, Police Station- Wazirganj, District- Gaya

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pratik
For the Opposite Party/s : Mr. Nand Kishore Pd.

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 05-09-2024 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners are apprehending their arrest in connection with Wazirganj P.S. Case No. 648/2023 registered for the offences punishable under Sections 341, 323, 379, 308, 504 & 506/34 of the Indian Penal Code.

3. As per prosecution case, petitioners and other are said to have assaulted the informant and his son as a result of which they sustained injury. It is alleged that the petitioners and other have threatened to vacate the hotel otherwise they



would be killed and they snatched money, watch, chain and mobile of the informant.

It is alleged that petitioners and other are said to have taken custody of informant's daughter-in-law and his grand son after having made intrusion into his house and they took away jewellery and money and they also misbehaved and abused the daughter-in-law of the informant.

4. Learned counsel for the petitioners submits that while rejecting anticipatory bail the trial court has recorded that the injury sustained by the informant is grievous in nature. He further submits that injury sustained by the victim is simple in nature as mentioned in Annexure-3 of the bail petition. He orally submits that there is no injury sustained by other members of informant's family. The petitioners are innocent and have committed no offence as alleged in the FIR and they have falsely been implicated in this case. The petitioners bear no criminal antecedent. He further submits that there is case and counter case between both the parties on the same date of occurrence. Both parties are agnates and petitioners' side have lodged earlier Wazirganj P.S. Case No. 647/2023 and the present case is nothing but the counter blast of earlier case filed by the petitioners' side. From the perusal of the FIR, it is crystal clear



that there is land dispute between the parties and in the cases of land dispute facts are generally exaggerated to make the offence graver.

5. The learned A.P.P. for the State opposed the prayer for anticipatory bail of the petitioners.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioners, argument advanced on behalf of both sides and also taking into consideration the material available on record, 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 bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gaya in connection with Wazirganj P.S. Case No. 648/2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Alok Kumar Pandey, J)

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