

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54555 of 2024**

Arising Out of PS. Case No.-138 Year-2024 Thana- JHAJHA District- Jamui

Pintu Kumar Saw SON OF BINOD SAW VILLAGE- DHIBA, PS- JHAJHA,
DIST- JAMUI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh
For the Opposite Party/s : Mr. Nirmala Kumari

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER**

- 2 31-08-2024 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Jhajha Police Station Case No. 138 of 2024, dated 06.04.2024, disclosing offences under Sections 337/448/504/324/341/323/307/34 of the Indian Penal Code.
3. The prosecution case, as per the First Information Report, is that on 05.04.2024, while the informant was parking his tractor in front of his house, the trailer, attached to the tractor, dashed the stack of bricks kept near the house of cousin brother of the informant and as a result of which some of the bricks got damaged. Suddenly, the accused persons, named in the First Information Report, armed



with lathi, danda, sword, bricks, etc., arrived at the door of the informant, started abusing and assaulting the informant and his family members. The allegation against the petitioner is that he assaulted the informant's son, namely, Jairaj Kumar Saw, by means of sword due to which he sustained injury near his ear.

4. Learned counsel for the petitioner submits that both the parties are agnates and occurrence has taken place on trivial issue due to damage of bricks, kept in front of the house of the accused persons, done by the tractor of the informant. He next submits that counter case, bearing Complaint Case No. 337(C)/2024, has also been lodged by the petitioner against the informant and others. Referring to the injury report, learned counsel submits that though the doctor has reserved his opinion, but it appears that injury caused to the victim near his ear has been found to be measuring 01 inch X 1/2 inch, which does not appear to be serious in nature. He further submits that one of the co-accused Sanjeev Kumar has been granted anticipatory bail by a Co-ordinate Bench of this Court in Cr. Misc. No. 50604 of 2024.
5. Regards being had to the submissions made on behalf of



the parties and taking into consideration the fact that both the parties are agnates, case and counter-case is also there, co-accused has been granted anticipatory bail by this Court and injury caused to the victim is not serious in nature, I am inclined to grant the petitioner privilege of anticipatory bail.

- 6. This application is, accordingly, allowed.
- 7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jamui, in connection with Jhajha Police Station Case No. 138 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

ashwani/-

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

