

Arising Out of PS. Case No.-931 Year-2023 Thana- BODHGAYA District- Gaya

... .. Petitioner/s

Versus

... .. Opposite Party/s

For the Petitioner/s : Mr.Ajay Kumar Sinha
For the Opposite Party/s : Mr.Binod Kumar

2 28-08-2024 1. Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 342, 323, 307, 379, 504, 506 and 34 of the Indian Penal Code.

3. Learned counsel for the petitioners submits that the petitioners have antecedent of one case and the informant alleges that on account of dispute relating to passage, accused Arun assaulted his son by *Pasuli* causing injury on nose, thereafter, Upendra assaulted his grandson by brick causing injury on head and Ajay snatched gold chain of his grandson.

4. The learned counsel for the petitioners submits that the petitioners have been falsely implicated on account of dispute relating to passage. It is further submitted that as far as petitioner No. 1 is concerned, the allegation against him is of assaulting the



grandson of the informant by brick causing injury on head, but then he has suffered simple injury. It is also submitted that opinion with regard to the injury of the informant is reserved as he was referred to a higher centre, on which the learned APP submits that informant had a cut injury on his nose and since he was referred to a higher centre, which amply demonstrates that the injury was not simple, as such, the Court is not inclined to extend the privilege of anticipatory bail to Arun Prasad, Petitioner No. 2.

5. However, the Petitioner No. 1, Upendra Prasad, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Bodhgaya P.S. Case No. 931 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. Accordingly, the instant anticipatory bail application is partly allowed.

(Satyavrat Verma, J)

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