

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56597 of 2024

Arising Out of PS. Case No.-107 Year-2024 Thana- BUXAR MUFFSIL District- Buxar

1. MUNNA @ MUNNA PRAJAPATI @ SANJAY PRAJAPATI @ SANJAY KUMAR PRAJAPATI S/O LATE SHAMBHU PRAJAPATI RESIDENT OF VILLAGE- BANARPUR, P.S- BUXAR (M), DISTT.- BUXAR.
2. MOTI YADAV @ MOTILAL S/O CHANDRIKA YADAV RESIDENT OF VILLAGE- BANARPUR, P.S- BUXAR (M), DISTT.- BUXAR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar Gupta
For the Opposite Party/s : Mr.Rajendra Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 04-09-2024 1. Heard the parties.

2. The petitioners apprehend their arrest in connection with Buxar (Muffasil) P.S. Case No. 107 / 2024 dated 25.03.2024 registered under Sections 341, 323, 308, 504, 506 / 34 of the I.P.C. and Section 27 of the Arms Act.

3. As per the First Information Report lodged on 25.03.2024 it has been alleged that in the evening at about 5:30 P.M. while the informant was washing her Bolero car, the petitioners along with other accused persons were selling illicit liquor at the door of the informant and upon protest, the petitioner no. 2 resorted to firing and the petitioner no. 1 assaulted the father of the informant by means of “gadasi” due to which he sustained



injury.

4. Learned counsel for the petitioners submits that petitioners are in the business of hotel and some altercation had taken place between the side of the petitioners and the informant. The allegation of selling illicit liquor in the F.I.R. is completely concocted. The firing made by the petitioner no. 2 did not hit anybody and the injury caused to the father of the informant by the petitioner no. 1 is simple in nature as would be evident from the impugned order itself. A counter case bearing Buxar (Muffasil) P.S. Case No. 106 / 2024 has been lodged by the side of the petitioners against the informant and others.

5. Regard being had to the submission made by the parties, taking into consideration the fact that nobody sustained injury in the firing made by the petitioner no. 2, case and counter case is there and the injury caused to the informant's father is simple in nature, as such, I am inclined to grant anticipatory bail to the petitioners.

6. Let the petitioners, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of



Chief Judicial Magistrate, Buxar in connection with Buxar
(Muffasil) P.S. Case No. 107 / 2024 subject to the condition as
laid down under Section 438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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