

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58738 of 2024

Arising Out of PS. Case No.-192 Year-2024 Thana- RAJPUR District- Buxar

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1. Sanjay Kumar Rai S/o- Umashankar Rai R/O Village- Dehari PS - Rajpur Dist- Buxar
 2. Dhananjay Kumar son of Late Umashankar Rai R/O Village- Dehari PS - Rajpur Dist- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Dr. (Mr.) Kamal Deo Sharma, Advocate
For the Opposite Party/s : Mr. Ajay Kumar Jha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 03-09-2024 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, 323, 324, 325, 307, 504 and 506/34 of the Indian Penal Code.
3. Learned counsel for the petitioners submits that petitioner no. 1 has antecedent of one case and petitioner no. 2 has antecedent of two cases.
4. The informant alleges that on account of dispute relating to land Sanjay Kumar Rai (petitioner no. 1) abused and assaulted him by lathi causing injury on right side of his forehead, thereafter he fell down on the ground but Sanjay continued with the assault causing injury on his right hand and



back. Further, Dhananjay Kumar (petitioner no. 2) assaulted by spade causing injury in his right and the petitioners have been emboldened to commit the occurrence at the instance of Radhe Shyam Rai, Krishna Rai and Anil Rai.

5. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case by the informant. It is further submitted that Sanjay Kumar Rai (petitioner no. 1) instituted Rajpur P.S. Case No. 193 of 2024 under various sections of the Indian Penal Code and the Arms Act against the informant and his side. It is next submitted that petitioners and the informant are brothers and are having dispute relating to land. It is also submitted that on account of the said dispute an altercation had taken place in which both sides assaulted each other. It is further submitted that even presuming what has been alleged is true without admitting then the injury suffered by the injured is simple in nature.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

7. Considering the submissions made by the learned counsel for the petitioners, let the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on



anticipatory bail on furnishing bail bonds of Rs.10,000/-
(Rupees Ten Thousand) each with two sureties of the like
amount each to the satisfaction of the learned court below where
the case is pending/successor court in connection with Rajpur
P.S. Case No. 192 of 2024, subject to the conditions as laid
down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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