

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58268 of 2024

Arising Out of PS. Case No.-281 Year-2024 Thana- BUXAR District- Buxar

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1. Murli Manohar Pathak S/o- Ramanuj Pathak R/O - Niyazipur, Dada Baba ke Dera P.O - Niyazipur P.S - Simri District - Buxar
 2. Vinay Kumar Pathak @ Chotaf son of Ramanuj Pathak R/O - Niyazipur, Dada Baba ke Dera P.O - Niyazipur P.S - Simri District - Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajiv Ranjan Kumar Pandey

For the Opposite Party/s : Mr. Nand Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 24-09-2024 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 offence punishable under Sections 147, 149, 341, 323, 506, 325, 379 of the Indian Penal Code.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent. It is next submitted that Khushbu was married to Rahul but after marriage, a dispute had arisen, on account of which, Khushbu instituted Complaint Case No.319/2024 against Rahul and others in the Court of learned C.J.M., Buxar. It is submitted that the said complaint case was sent to Lok Adalat and on the date



fixed in the Lok Adalat, it is alleged that Rahul along with others had gone for the mediation proceeding where the petitioners along with Khushbu also came and on seeing Rahul, the petitioners assaulted him. The learned counsel submits that petitioners are brothers of Khushbu and their sister is having dispute with Rahul and in the mediation proceeding, Rahul made a rude comment, on account of which, an altercation took place, in which, both side assaulted each other. It is also submitted that from the side of the petitioner, Buxar Town P.S. Case No.280/2024 was instituted by Khushbu against Rahul and others. It is further submitted that after Buxar Town P.S. Case No.280/2024 came to be instituted, thereafter, the instant case by way of counter blast was instituted. It is next submitted that no doubt both side have suffered injury but then from perusal of the order impugned, it would manifest that the injured in the present case have suffered four injuries, out of which, three are simple in nature. It is also submitted that petitioners are not criminals but on account of matrimonial difference in between their sister and Rahul, the occurrence is alleged to have taken place.

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



5. Considering the submissions made by the learned counsel for the petitioners, 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 learned trial court where the case is pending/successor court in connection with Buxar (Town) P.S. Case No.281/2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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