

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63691 of 2024

Arising Out of PS. Case No.-283 Year-2024 Thana- KAHALGAON District- Bhagalpur

1. Lalita Devi Wife of Brajesh Mandal Resident of Village- Sadanadpur Basia, Police Station- Kahalgaon, Distt.- Bhagalpur
2. Anjani Kumari D/O- Brajesh Mandal Resident of Village- Sadanadpur Basia, Police Station- Kahalgaon, Distt.- Bhagalpur
3. Purushottam Kumar Son of Brajesh Mandal Resident of Village- Sadanadpur Basia, Police Station- Kahalgaon, Distt.- Bhagalpur
4. Mithlesh Kumar @ Mithu Kumar Son of Brajesh Mandal Resident of Village- Sadanadpur Basia, Police Station- Kahalgaon, Distt.- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Dr. Manoj Kumar, Advocate Ms. Sweety Sinha, Advocate
For the State	:	Mr. Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 24-09-2024 Heard Dr. Manoj Kumar, learned counsel appearing on behalf of the petitioners and Mr. Umeshanand Pandit, learned APP appearing on behalf of the State.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 147, 323, 324, 341, 307, 325, 379, 504 and 506 of the Indian Penal Code.

3. As per prosecution case, on the alleged date and time of occurrence, all the F.I.R. named accused persons, including these petitioners, assaulted informant and his family members by means of *lathi*, *danda* and iron rod, as a result of



which they sustained multiple injuries.

4. It is submitted by learned counsel appearing on behalf of the petitioners that petitioners are innocent and have committed no offence. As a matter of fact, due to land dispute, on the alleged date and time of occurrence, a free fight took place in which both sides sustained injuries. There is case and counter-case between the parties. Most of the injuries, allegedly caused by these petitioners, have been found to be simple in nature. Similarly situated co-accused persons have already been granted the privilege of anticipatory bail by this Hon'ble Court vide order dated 19.09.2024 passed in Cr. Misc. No. 58536 of 2024. Petitioners claim clean antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioners.

6. Considering the aforesaid facts and circumstances, case and counter-case between the parties, claim based on parity and clean antecedents of the petitioners, the prayer for grant of anticipatory bail to the petitioners is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioners be enlarged 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, Bhagalpur, in connection with Kahalgaon P.S. Case No. 283 of 2024, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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