

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61007 of 2024

Arising Out of PS. Case No.-193 Year-2024 Thana- DHAKA District- East Champaran

1. Pradeep Kumar, Son of Narad Mahto Resident of Village - Karsahiya, P.S. -Dhaka, District - East Champaran
2. Vijay Kumar, Son of Satrudhan Mahato Resident of Village - Karsahiya, P.S. -Dhaka, District - East Champaran
3. Ajay Kumar, Son of Satrudhan Mahto Resident of Village - Karsahiya, P.S. -Dhaka, District - East Champaran
4. Sujay Kumar, Son of Satrudhan Mahto Resident of Village - Karsahiya, P.S. -Dhaka, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kundan Rathore
For the Opposite Party/s : Mr. Damodar Prasad Tiwary

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 16-12-2024 1. Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 147, 149, 341, 323, 324, 427, 504, 307 and 354 of the Indian Penal Code.

3. The learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the informant alleges that on 06.05.2023, the accused persons including the petitioners came at the door of the informant and



threw away Naad and Khuta and on objection, Viajy Kumar assaulted Awadh Prasad by farsa causing injury on head, while Ajay and Sujay assaulted him by an iron rod over his body. Thereafter, Pradeep assaulted Lakhraj Prasad with farsa causing injury on head. Further, Narad assaulted Nand Kishore Prasad by lathi on right hand. It is next alleged that Shatrughan assaulted Bipin by an iron rod causing swelling injury on neck and jaw and Prabhu assaulted Ram Prakash while the named women accused were pelting stones causing injury to family members. Further, Pradeep tore the blouse of Asha Devi and Nirbhaya Devi and Vijay dashed Nirbhaya Devi on ground while Ajay took golden chain of Asha Devi and Sujay took out Rs.10,000/- from pocket of Nand Kishore. Further, Shatrughan took ornaments, clothes and Rs.20,000/- of the informant.

4. The learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is next submitted that it does not appear probable that informant with such precision could have remembered the occurrence as to who assaulted whom and by what and where. It is also submitted that the injuries suffered by the injured is simple in nature and the occurrence took place on account of dispute relating to land. It is further submitted that



from the side of the petitioners also Dhaka P. S. Case No.189 of 2024 has been instituted, as such, the instant FIR is a counter-blast. It is also submitted that the injury suffered by the injured is simple in nature which amply demonstrates that petitioners never had any intention of committing a serious occurrence.

5. Learned A.P.P. opposes the anticipatory bail application.

6. 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, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Sikrahana at Dhaka/ concern Court, East Champaran, Motihari in connection with Dhaka P. S. Case No.193 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

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