

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66218 of 2024

Arising Out of PS. Case No.-159 Year-2024 Thana- SAHPUR District- Bhojpur

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1. Bablu Dhanuk @ Bablu Kumar Son of Shiv Kumar Dhanuk Resident of Village- Shahpur, Ward No.- 10, Police Station- Shahpur, District - Bhojpur.
 2. Arun Dhanuk Son of Shiv Kumar Dhanuk Resident of Village - Shahpur, Ward No.- 10, Police Station - Shahpur, District - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akash Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 17-12-2024 Heard Mr. Akash Kumar Mishra, learned counsel

for the Petitioners and Mr. Shailendra Kumar, learned APP for

the State.

2. The petitioners apprehend their arrest in connection
with Shahpur P.S. Case No. 159 of 2024 dated 21.04.2024
registered for the offences punishable under Sections 341, 323,
307, 504 and 506 read with Section 34 of the Indian Penal Code.

3. The main submissions advanced by learned counsel
appearing for the petitioners are that there is no specific
allegation against both the petitioners, six persons including the
petitioners who are family members, have been named in the
FIR and they are alleged to have assaulted the informant and her
husband by using *lathi*, *danda* and bricks and no fatal weapon is



said to have been used by the accused, in fact, an incident of free fight took place in between both the parties who are neighbours and there is case and counter-case in between them and from petitioners' side four persons, father, mother and two minor sisters of the petitioners, sustained injuries and the copy of the FIR, lodged on behalf of petitioner's side, has been filed as *Annexure-P/2* which goes to show that the injured persons from petitioner's side were first treated at Shahpur referral hospital from where they were referred to Sadar, Hospital, Ara. It is further submitted that both the petitioners have fair and clean antecedent and the alleged occurrence is not said to have been committed by the accused in a planned manner as according to the prosecution, a steel metal shed (*karkat*) fell down, due to fast wind which led to the commission of the alleged occurrence.

4. Learned APP for the State has opposed the prayer for bail of the petitioners.

5. Considering the facts and circumstances of this case as well as above submissions and the nature of allegation appearing against the petitioners and their fair and clean antecedent, this Court is inclined to accept the anticipatory bail prayer of the petitioners. Accordingly, let the petitioners named-



above, 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 bond of Rs. 20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of the Court concerned in connection with Shahpur P.S. Case No. 159 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Shailendra Singh, J)

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