

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.68142 of 2024**

Arising Out of PS. Case No.-173 Year-2024 Thana- GARKHA District- Saran

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1. Akhilesh Bharti Son of Nand Kumar Bharti R/o -Village -Fulwari, Police Station- Garkha, District -Saran at Chapra
  2. Musafir Giri Son of Late Ram Ekbal Giri R/o -Village -Fulwari, Police Station- Garkha, District -Saran at Chapra
  3. Abhay Bharti Son of Akhilesh Bharti R/o -Village -Fulwari, Police Station- Garkha, District -Saran at Chapra
  4. Nand Kumar Bharti Son of Late Triguna Bharti R/o -Village -Fulwari, Police Station- Garkha, District -Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Avinash Kumar Pandey  
For the Opposite Party/s : Mr. Ram Priya Sharan Singh  
Mr. Maheshwar Prasad

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

- 3      18-12-2024      1. Heard learned counsel for the petitioners, the learned counsel appearing on behalf of the informant and learned A.P.P. for the State.
2. The learned counsel for the petitioners, at the outset, seeks permission to withdraw the present anticipatory bail application with respect to petitioner no.1 Akhilesh Bharti and petitioner no.2, Musafir Giri.
3. Permission is accorded.
4. Accordingly, instant petition is dismissed as



withdrawn with respect to petitioner nos.1 Akhilesh Bharti and petitioner no. 2, Musafir Giri.

5. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 341, 323, 324, 447, 325, 354, 379 and 504/ 34 of the Indian Penal Code.

6. The learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the informant alleges that on 31.03.2024, on account of land dispute, the accused persons including the petitioners came and started abusing. Further, Nand Kumar Bharti assaulted Guddu by knife causing injury on his right ear. Thereafter, Akhilesh assaulted Guddu by *Daab* causing injury on his head and eyes. Further, Sushil along with other assaulted Jintednra a differently abled person causing fracture of his leg and Abhay Bharti tore blouse of the informant while Seema and Musafir took her gold ear-ring and Akhilesh took golden chain of Guddu.

7. The learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant on account of dispute relating to land.



It is next submitted that Nand Kumar Bharti is 78 years old and has remained a person with clean antecedent all through out his life and all of a sudden, he has been implicated in the instant case with an allegation that he assaulted Guddu by knife causing injury. It is also submitted that allegation of assaulting Guddu is also against Akhilesh by *Daab* causing injury on his head and eyes. It is fairly submitted that injury suffered by Guddu on head and eyes is opined to be grievous. It is next submitted that the entire family has been implicated in the case and allegation against Abhay is general and omnibus in nature.

8. Learned A.P.P. as well as the learned counsel appearing on behalf of the informant opposes the anticipatory bail application and it is submitted that subsequently Section 307 of the I.P.C. has been added by the supervising authority.

9. 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 Sub-Judge -cum- ACJM- IV, Saran at Chapra in connection with Garkha P. S. Case No.173 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

10. The application stands allowed.

(Satyavrat Verma, J)

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