

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71490 of 2024

Arising Out of PS. Case No.-419 Year-2024 Thana- ARA NAGAR District- Bhojpur

1. Kalku Pandey @ Kalpu Pandey S/o Ramdev Pandey R/o vill - Bhaluhipur, P.S. - Ara, Distt. - Bhojpur
2. Sudha Devi W/o Kalpu Pandey R/o vill - Bhaluhipur, P.S. - Ara, Distt. - Bhojpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar

For the Opposite Party/s : Mr.Vinod Shanker Modi

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 26-10-2024 1. Heard the parties.

2. The petitioners apprehend their arrest in connection with Ara Town P.S. Case No. 419 of 2024 dated 10.07.2024 registered under Sections 191(2), 115(2), 190, 126(2), 110, 329(3), 352 of the Bharatiya Nyaya Sanhita , 2023.

3. The informant lodged a written report on 10.07.2024 stating that yesterday night the accused persons, ten in number, except the petitioners arrived at the door of the informant, abused him, his father and other family members and when he objected, they assaulted with iron rod, “saria”, “lathi”, “danda” etc. When the brothers of the informant intervened, they assaulted them also. The petitioners instigated their sons to kill



the informant and his family members.

4. Learned counsel for the petitioners submits that both the parties are neighbours and some dispute arose between them regarding passage. Learned counsel further submits that counter case has also been lodged by the side of the petitioners bearing Bhojpur Town P.S. Case No. 428 of 2024. There is no allegation of assault against the petitioners and the petitioner no. 1 is 69 years of age and the petitioner no. 2 is a lady. The petitioners are at best an order giver. The injuries caused to the victims are simple in nature as would be evident from the injury report at Annexure-4.

5. Regard being had to the submission made by the parties, taking into consideration the fact that both the parties are neighbours, there is case and counter case, injuries are simple in nature and the petitioners are only an order giver, I am inclined to grant anticipatory bail to the petitioners.

6. Let the petitioners, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Ara in connection with Ara Town P.S.



Case No. 419 of 2024 subject to the condition as laid down
under Section 438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

praful/-

U		T	
---	--	---	--

