

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.70694 of 2024

Arising Out of PS. Case No.-99 Year-2024 Thana- Gidhaur District- Jamui

1. Rocket Kumar Son of Raju Yadav Resident of Village - Ketru Nawada, P.S. - Gidhaur, District - Jamui
2. Raju Yadav Son of Bhuneshwar Yadav Resident of Village - Ketru Nawada, P.S. - Gidhaur, District - Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :

Mr.Binit Kumar

For the Opposite Party/s :

Mr.Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 22-10-2024 Heard learned counsel for the petitioners, informant and learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 126(2), 118(1), 109, 74, 303(2), 3(5) of the BNSS, 2023.

3. Petitioners along with other accused persons are said to have assaulted the informant's side.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case due to land dispute. He submits that there is case and counter case between the parties. He submits that the injury found upon the victim is simple in nature. He submits that the petitioner no. 2 has also sustained some minor injury in the occurrence. He further submits that petitioners have no criminal antecedent as stated in para-3 of the bail application.

5. Learned APP for the State and informant



oppose the prayer for bail and submit that one injured person sustained grievous injury.

6. Considering the facts and circumstances of the case and the fact that there is no specific overt act against the petitioner no. 2, let the above named petitioner no. 2 in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Gidhaur P.S. Case No. 99 of 2024, subject to the condition as laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023.

7. So far as petitioner no. 1 is concerned, there is specific overt act against him, I am not inclined to enlarge the petitioner no. 1 on bail. Accordingly, his prayer for anticipatory bail is rejected in connection with the aforesaid case.

(Anjani Kumar Sharan, J)

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