

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73560 of 2023

Arising Out of PS. Case No.-497 Year-2022 Thana- GAIGHAT District- Muzaffarpur

1. ABHAY KUMAR son of Nand Kishor Rai Village- Sakarwara Noor Ps- Gaighat Dist- Muzaffarpur
2. Ranjeet Ray son of late Chandeshwar Ray Village- Sakarwara Noor Ps- Gaighat Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad

For the Opposite Party/s : Mr. Mithlesh Kumar Khare

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 05-03-2024 1. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Gaighat Police Station Case No. 497 of 2022, dated 26.10.2022, disclosing offences under Sections 341/323/504/506/308/379/34 of the Indian Penal Code.
3. The prosecution case, as per the First Information Report, is that on 09.10.2022, in the morning, while the informant was tying the buffalo, all the accused persons arrived there and assaulted him by means of lathi, danda, iron rod, etc. It has further been alleged that the petitioner no. 2 inflicted iron rod injury on the head of the informant



and petitioner no. 1 assaulted the informant's son by means of iron rod.

4. Learned Counsel for the petitioners submits that both the parties are agnates and there is land dispute between them. He next submits that there is allegation against the petitioner no. 2 that he assaulted the informant on his head by means of iron rod and the petitioner no. 1 that he assaulted the informant's son by means of iron rod, however, the injury caused to both the informant and his son are simple in nature.
5. Regards being had to the submissions made on behalf of the parties and taking into consideration the fact that both the parties are agnates, there is land dispute between them and injury caused to the victims are simple in nature, I am inclined to grant the petitioners privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial



Magistrate 1st Class, Muzaffarpur, in connection with
Gaighat Police Station Case No. 497 of 2022, subject to
the condition laid down under Section 438 (2) of the Code
of Criminal Procedure.

(Anil Kumar Sinha, J)

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