

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74664 of 2024

Arising Out of PS. Case No.-117 Year-2024 Thana- HASPURA District- Aurangabad

1. Radheshyam Sao @ Radheshya Sao Son of Late Tulsi Sao Resident of Village- Haspura , P.S.- Haspura, Dist.- Aurangabad.
2. Rankaj Kumar Son of Radheshyam Sao @ Radheshya Sao Resident of Village- Haspura , P.S.- Haspura, Dist.- Aurangabad.
3. Pankaj Kumar Son of Radheshyam Sao @ Radheshya Sao Resident of Village- Haspura , P.S.- Haspura, Dist.- Aurangabad.
4. Rahul Kumar Son of Radheshyam Sao @ Radheshya Sao Resident of Village- Haspura , P.S.- Haspura, Dist.- Aurangabad.
5. Sunaina Devi Wife of Radheshyam Sao @ Radheshya Sao Resident of Village- Haspura , P.S.- Haspura, Dist.- Aurangabad.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ashok Singh
	:	Mr. Abhishek Kumar Singh
For the Opposite Party/s	:	Mr. Shantanu Kumar (App)

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 13-11-2024 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 Haspura Police Station Case No. 117 of 2024, disclosing offences under Sections 147, 148, 149, 341, 323, 325, 307, 379, 354, 504, 506 of the Indian Penal Code.
3. As per the First Information Report, on 01.06.2024, in the afternoon, while the informant was at her shop, the petitioners along with other accused persons arrived there armed



with lathi, danda and iron rod, assaulted the informant and when the husband and the son of the informant intervened, the petitioners also assaulted them causing head injuries to the victims.

4. Learned Counsel for the petitioners submits that both the parties are agnates and co-sharers and have been made accused due to dispute regarding shop. A counter case has been lodged by the side of the petitioners bearing Haspura P.S. Case No. 118 of 2024. Six persons have sustained injuries from the side of the petitioners whereas five persons have sustained injuries from the side of the informant. Referring to Annexure 2, learned counsel submits that injuries caused to the victims are simple in nature except the injury caused to Om Prakash for whom, the opinion of the doctor has been reserved for injury no. 1 and 3 and injury no. 2 has been described as simple in nature.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that both the parties are co-sharers, there is a dispute between them regarding shop, case and counter case has been lodged and both sides have sustained injuries, 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 Sub-Divisional Judicial Magistrate, Daudnagar, Aurangabad, in connection with Haspura Police Station Case No. 117 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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