

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75895 of 2024

Arising Out of PS. Case No.-224 Year-2024 Thana- SANDESH District- Bhojpur

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1. Umesh Thakur S/o Nunu Thakur Resident Of Village- Bartiyar, Bhojpur, Ps- Sandesh, Dist- Ara
 2. Bikarma Thakur S/o Nunu Thakur Resident Of Village- Bartiyar, Bhojpur, Ps- Sandesh, Dist- Ara

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Ankit Raj, Advocate
For the Opposite Party : Mr. Mohammad Sufyan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 12-11-2024 Heard Learned Counsel for the petitioners and
Learned APP for the State.

2. The present Cr. Misc. Application No. 75895 of 2024 has been filed under Section 482 of The Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as "BNSS, 2023") for grant of anticipatory bail to the petitioners who apprehend their arrest in connection with Sandesh P.S. Case No. 224 of 2024, lodged on 26.07.2024, under Sections 126(2), 115, 117, 329(4), 76, 303(2), 352/3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution, FIR has been lodged against eight named accused persons including the present petitioners



against whom there is an allegation that they have assaulted the informant and her family members by iron rod and lathi due to which informant's husband, namely, Bablu Thakur sustained injury in his head.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that both petitioners' side and informant's side are neighbour and due to petty dispute the occurrence took place between them. For the same date and place of occurrence, there is a case and counter case between the parties. One case was lodged by the petitioners' side where as the another case was lodged by the informant's side. Counsel further submits that injury caused from both the sides which is apparent from reading both the FIRs. Counsel further submits that the injury report is annexed as Annexure-P/3 series in which injuries on the body of the injured were normal (simple in nature). Counsel further submits that criminal antecedents of the petitioners are clean and due to petty dispute a scuffle took place from both the sides.

5. Learned APP for the State, on the other hand, opposes the prayer for bail of the petitioners and submits that there is specific allegation in the FIR against both the petitioners



that they assaulted the informant and her family members by *lathi* and iron rod.

6. As such, in the present facts and circumstances of this case, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) each as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of C.J.M., Ara, in connection with Sandesh P.S. Case No. 224 of 2024, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J)

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