

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81776 of 2024

Arising Out of PS. Case No.-81 Year-2024 Thana- CHARPOKHARI District- Bhojpur

1. Munna Kumar S/o- Sona Lal Mahto @ Sona Lal Village- Siyadih Ps- Charpokhari District-Arah Bhojpur
2. Nishant Kumar S/o- Sunil Mahto Village- Siyadih Ps- Charpokhari District-Arah Bhojpur
3. Nitish Kumar S/o- Bhushan Mahto Village- Siyadih Ps- Charpokhari District-Arah Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Subodh Kumar, Advocate
	:	Mr.Prakash Chandra, Advocate
For the Opposite Party/s	:	Mr.Nirmal Kumar Sinha, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 16-12-2024 1. Heard learned Counsel for the petitioners and learned APP for the State.
2. This application, for grant of anticipatory bail, arises out of Charpokhari PS case no. 81 of 2024, disclosing offences punishable under Section 307 and other allied sections of the Indian Penal Code.
3. The prosecution story, as per the First Information Report, is that on 25.03.2024 in the evening, while the informant's son went to play in the field, petitioners along with others assaulted him with rod and farsa on his head.
4. Learned Counsel for the petitioners submits that



petitioners have falsely been implicated in this case due to dispute regarding drainage. Both parties are co-sharers and neighbours. Learned counsel further submits that there is delay in lodging the First Information Report, inasmuch as the occurrence took place on 25.03.2024, however the F.I.R. has been lodged on 03.04.2024 and the delay has not been properly explained. He next submits that injuries caused to the informant's son are simple in nature, as would be evident from injury report, annexed as Annexure-2 to this petition. He also submits that petitioners are young students studying in Class-XII.

5. Regard being had to the submissions made on behalf of the parties and taking into consideration the fact that both parties are neighbour/ co-villager having dispute regarding drainage, petitioners are young students studying in Class-XII and injuries caused to the victim are simple in nature, I am inclined to grant the privilege of anticipatory bail to the petitioners.

6. This application is, accordingly, allowed.

7. Let petitioners, abovenamed, in the event of their arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten



thousand) each with two sureties of the like amount each to the satisfaction of learned J.M. 1st class, Arrah (Bhojpur) in connection with Charpokhari PS case no. 81 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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