

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80472 of 2024

Arising Out of PS. Case No.-106 Year-2024 Thana- PARSAUNI District- Sitamarhi

1. Rajesh Rai S/O Bindeshwar Rai @ Bindeshwar Prasad Yadav Resident of Village- Dema, P.S.- Parsauni, Dist- Sitamarhi.
2. Manoj Kumar @ Manoj Rai S/O Bindeshwar Rai @ Bindeshwar Prasad Yadav Resident of Village- Dema, P.S.- Parsauni, Dist- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Saurav Anand

For the Opposite Party/s : Mr.Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 10-12-2024 1. Heard the parties.

2. The petitioners apprehend their arrest in connection with Parsauni P.S. Case No. 106 of 2024 registered under Sections 191 (2), 126, 115, 303, 117(2), 109, 352 of the B.N.S., 2023.

3. As per the prosecution story on 06.07.2024 the informant's brother (accused no. 1 / Bindeshwar Rai), who has been living separately started digging the passage and when objected by the informant, the petitioner no. 1 being the nephew of the informant assaulted him by means of iron rod on the head. There is no specific allegation of assault against the petitioner no. 2.

4. Learned counsel for the petitioners submits that the



accused no. 1 is the full brother of the informant and the petitioner no. 1 is the son of the accused no. 1 and the nephew of the informant. A counter case has been lodged by the side of the petitioners bearing Parsauni P.S. Case No. 105 of 2024. The occurrence has taken place due to dispute regarding passage between the parties. Referring to the medical report of Sri Krishna Medical College & Hospital, Muzaffarpur, learned counsel submits that no serious injury has been caused on the head of the informant. After X-ray only mild soft tissue was found and no fracture has been found by the doctor. The entire family members have been made accused including the petitioners.

5. Regard being had to the submission made by the parties, taking into consideration the fact that both the parties are closely related, the occurrence has taken place due to dispute regarding passage and no serious injury has been found on the head of the informant, as such, I am inclined to grant anticipatory bail to the petitioners.

6. Let the petitioners, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each



with two sureties of the like amount each to the satisfaction of
Sri Anuj Kumar, J.M. Ist Class-cum-Additional Munsif,
Sitamarhi in connection with Parsauni P.S. Case No. 106 of
2024 subject to the condition as laid down under Section 438 (2)
of the Cr.P.C.

(Anil Kumar Sinha, J)

praful/-

U		T	
---	--	---	--

