

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79948 of 2023

Arising Out of PS. Case No.-51 Year-2023 Thana- EKANGARSARAI District- Nalanda

1. GUNJAN KUMAR, Son Of Indu Prasad Residents Of Village Tarapur Police Station Ekangarsarai District Nalanda
2. INDU PRASAD, Son Of Late Shiv Garai Residents Of Village Tarapur Police Station Ekangarsarai District Nalanda

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Anil Kumar Singh, Advocate
For the State	:	Mr. Shantanu Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 10-01-2024 Heard learned counsels for the parties.

2. Learned counsel for the petitioners seeks permission to withdraw the anticipatory bail application on behalf of Petitioner No. 2, namely Indu Prasad, as during pendency of this case, Petitioner No. 2 has already been arrested and the same has become infructuous.

3. Permission accorded.

4. The anticipatory bail application on behalf of Petitioner No. 2 is dismissed as withdrawn.

5. The Petitioner No. 1 apprehends his arrest in a case registered for the offence punishable under Sections 341, 323, 307, 379, 447, 504, 506 and 34 of the Indian Penal Code.

6. As per the prosecution case, Petitioner No. 1,



namely Gunjan Kumar, is alleged to have assaulted on the head of brother of the informant by means of bricks.

7. It is submitted by learned counsel for the petitioners that the present case is counterblast to earlier case bearing Ekangarsarai P.S. Case No. 50 of 20213, which was been lodged by Petitioner No. 2 against the informant. As a matter of fact, on the alleged date and time of occurrence, i.e. on 08.03.2023 at about 02:00 PM, some altercation had taken place between the parties in which both sides have sustained injuries. Moreover, the doctor has found simple injuries upon the informant and his brother. Petitioner claims clean antecedents.

8. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail.

9. Considering the aforesaid facts and circumstances and nature of injuries, the prayer for grant of anticipatory bail to the Petitioner No. 1 is allowed.

10. Accordingly, in the event of arrest/surrender within a period of six weeks from today, let the above named Petitioner No. 1 be enlarged 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 Additional Chief Judicial Magistrate, Hilsa, Nalanda, in connection with Ekangarsarai P.S.



Case No.51 of 2023, subject to condition as laid down under
Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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