

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81304 of 2024

Arising Out of PS. Case No.-336 Year-2023 Thana- IMAMGANJ District- Gaya

1. Baijnath Singh @ Vaijanath Singh Son of Abhay Singh Resident of Village - Jamuna, P.S. - Imamganj, District - Gaya
2. Dhananjay Singh @ Dhananjay Kumar Son of Baijnath Singh @ Vaijanath Singh Resident of Village - Jamuna, P.S. - Imamganj, District - Gaya
3. Gudi Devi Wife of Binay Kumar @ Vinay Singh Resident of Village - Jamuna, P.S. - Imamganj, District - Gaya

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Singh
For the Opposite Party/s : Mr.Bhanu Pratap Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 11-12-2024 1. Heard the parties.

2. The petitioners apprehend their arrest in connection with Imamganj P.S. Case No. 336 of 2023 registered under Sections 147, 447, 341, 323, 308, 379, 504, 506 of the I.P.C.

3. As per the first information report on 23.12.2023 in the morning while the informant was sitting at his door, the petitioner no. 1 ordered to assault the informant upon which Dhananjay Singh @ Dhananjay Kumar (petitioner no. 2) assaulted with lathi and danda on the head of the informant and the petitioner no. 3 took away one golden chain kept in attachi worth about Rs. 2,38,994.



4. Learned counsel for the petitioners submits that petitioner no. 1 is the order giver and the allegation against the petitioner no. 2 is that he along with other accused persons assaulted the informant. There is allegation against other co-accused that they assaulted the informant and his son causing injury. Learned counsel next submits that both the parties are co-villager and scuffle between them took place on the point of burning bamboo in front of the house of the petitioners and digging land meant for passage. A counter case has also been lodged by the side of the petitioners against the informant and others bearing Imamganj P.S. Case No. 337 of 2023. There is delay of five days in lodging the F.I.R. as the occurrence has taken place on 23.12.2023 but the F.I.R. has been lodged on 28.12.2023. Though the learned Addl. Distt. & Sessions Judge-1st , Sherghati, Gaya has discussed the injury caused to the victims but the nature of injury has not been mentioned in the impugned order. There is general and omnibus allegation against the petitioner no. 2 and other co-accused persons.

5. Regard being had to the submission made by the parties, taking into consideration the fact that both the parties are co-villagers, there is case and counter case, the petitioner no. 1 is the order giver, the petitioner no. 3 is a lady and there is



general and omnibus allegation against the petitioner no. 2, 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 Shri Kumar Shivam, learned J.M.-1st Class, Sherghati, Gaya in connection with Imamganj P.S. Case No. 336 of 2023 subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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