

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84138 of 2024

Arising Out of PS. Case No.-94 Year-2019 Thana- DARPA District- East Champaran

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1. Ashok Kumar Son of Balkumar Prasad Village- Narkatiya, P.s.- Darpa, District- East Champaran Motihari
 2. Ranjit Prasad @ Ranjit Kumar Son of Late Mahat Sah Village- Narkatiya, P.s.- Darpa, District- East Champaran Motihari

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar

For the Opposite Party/s : Mr.Sanjay Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 16-12-2024 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 147, 149, 341, 323, 307, 504, 506 and 379 of the Indian Penal Code.

3. Petitioners are said to have assaulted the informant and his son by means of Khanti and bamboo.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case due to land dispute. He submits that there is case and counter case between the parties. He submits that all the sections are bailable except Sections 307 and 379 of the I.P.C. which are not being made out in this case. He further submits that petitioners have no criminal antecedent as stated in para-3 of the bail application.



5. Learned APP for the State opposes the prayer for bail and submits that there is specific allegation against the petitioner no. 2 who assaulted the son of the informant due to which he sustained six injures which is dangerous for life.

6. Considering the facts and circumstances of the case, let the above named petitioner no. 1 in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Darpa P.S. Case No. 94 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

7. So far as petitioner no. 2 is concerned, there is specific overt act against him, I am not inclined to enlarge the petitioner no. 2 on bail. Accordingly, his prayer for anticipatory bail is rejected in connection with the aforesaid case.

(Anjani Kumar Sharan, J)

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