

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84997 of 2024

Arising Out of PS. Case No.-376 Year-2023 Thana- LAXMIPUR District- Jamui

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1. Pankaj Bind S/O Krishna Bind @ Krishnandan Bind Resident of Village- Mohanpur, P.S Laxmipur, Distt-Jamui
 2. Krishna Bind @ Krishnandan Bind S/O Late Ramchandra Bind, Resident of Village- Mohanpur, P.S Laxmipur, Distt-Jamui
 3. Arbind Bind S/O Ramchandra Bind, Resident of Village- Mohanpur, P.S Laxmipur, Distt-Jamui
 4. Nitish Bind S/O Krishna Bind @ Krishnandan Bind Resident of Village- Mohanpur, P.S -Laxmipur, Distt-Jamui.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amrendra Kumar
For the Opposite Party/s : Mr. Amitesh Kumar

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 11-12-2024 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners are apprehending their arrest in connection with Laxmipur P.S. Case No. 376/2023 registered for the offences punishable under Sections 341, 323, 307, 504, 506, 34 of the Indian Penal Code.

3. As per prosecution case, there is allegation against petitioner no.1 who is said have assaulted by means of *lathi paina* upon the back of the informant, petitioner no.2 is said to have assaulted by means of *rod* upon the hand of the



informant, petitioner no.3 is said to have assaulted by means of *tangi* upon the head of the informant and petitioner no.4 is said to have assaulted informant's mother by legs and fists and she fell down on the ground.

4. Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence as alleged in the FIR and they have falsely been implicated in this case. Petitioners bear no criminal antecedent. He further submits that all the injuries are simple in nature. There is a case and counter case between the parties on the same date of occurrence. The petitioner and the informant are gotia and next door neighbour. From perusal of FIR itself, the dispute arose from the irrigation of land and there was no intention to kill the informant. He further submits that injury on the head of the informant is also superficial in nature. In the light of the aforesaid facts and circumstances of the case, no case is made out against the petitioners under Section 307 of the I.P.C. and other sections are bailable.

5. The learned A.P.P. for the State opposed the prayer for anticipatory bail of the petitioners.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioners, argument



advanced on behalf of both sides and also taking into consideration the material available on record, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Jamui in connection with Laxmipur P.S. Case No. 376/2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Alok Kumar Pandey, J)

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