

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.85116 of 2023**

Arising Out of PS. Case No.-99 Year-2023 Thana- NAYAGAON District- Saran

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1. Ajeet Kumar @ Ajeet Bhagat son of Late Kashinath Bhagat village Baherwagahhi P.S.- Nayagaon, district saran
  2. Prabhu Bhagat Son of Late Ramsakal Bhagat Resident of Village - Baherwagahhi, P.S. - Nayagaon, District - Saran
  3. Vikas Bhagat @ Vikas Kumar Son of Prabhu Bhagat Resident of Village - Baherwagahhi, P.S. - Nayagaon, District - Saran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Bishwajeet Singh  
For the Opposite Party/s: Mr.Ram Sumiran Rai

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

2      16-01-2024                      Heard the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 341, 323, 325, 307, 504, 506, 34 of the Indian Penal Code.

3. The allegation against the petitioners is that they along with other co-accused persons assaulted the informant's side by means of several weapons due to which they sustained injuries.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The



allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is a case and counter-case between the parties. There is an admitted land dispute between the parties. Petitioners have no criminal antecedent.

5. Learned APP for the State opposed the prayer for anticipatory bail and submits that there is specific allegation against the petitioner no.3 to assault the informant due to which he sustained grievous injury.

6. Having regard to the facts and circumstances of the case as there is specific allegation against the petitioner no.3 to assault the informant due to which he sustained grievous injury, I am not inclined to enlarge the petitioner no.3 on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

7. However, as the injuries attributed towards the petitioner nos.1 and 2 are of simple nature, let the above named petitioner nos.1 and 2, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) **each** 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



Nayagaon P.S. Case No.99 of 2023, subject to the conditions as  
laid down under Section 438(2) of the Cr.P.C.

8. Accordingly, this application is partly allowed.

**(Anjani Kumar Sharan, J)**

shikha/-

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