

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4740 of 2024

Arising Out of PS. Case No.-208 Year-2023 Thana- ITARHI District- Buxar

1. DINESH CHANDRA SINGH SON OF HARIDWAR SINGH RESDENT OF VILLAGE - KHANITA, P.S. - ITARHI, DISTRICT - BUXAR
2. RAMESH SINGH @ RAMESH CHANDRA SINGH SON OF HARIDWAR SINGH RESDENT OF VILLAGE - KHANITA, P.S. - ITARHI, DISTRICT - BUXAR
3. KAMLESH SINGH @ KAMLESH KUMAR SINGH SON OF SRI BHAGWAN SINGH RESDENT OF VILLAGE - KHANITA, P.S. - ITARHI, DISTRICT - BUXAR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shreekant Pandey, Adv.
For the Opposite Party/s : Mr.Narendra Kumar Singh, APP
Mr.Piyush Sourav, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 21-03-2024 Heard learned counsel for the petitioners, learned counsel

for the informant and learned APP for the State.

2. The petitioners apprehend their arrest in a case registered for the offence punishable u/s 147, 149, 341, 323, 504, 506, 307, 379 of the IPC.

3. Allegation against the petitioners is of assaulting the informant's side by means of various deadly weapons.

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 due to grudge. No



such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. In continuation of an altercation with regard to passage, a free fight took place between the parties, in which, both sides have sustained injury. There is also, a case and counter-case between the parties. Though there is allegation against the petitioner nos.2 and 3 to assault the informant and his nephew, but the injury was found simple in nature but it is fairly submitted that the injury sustained by Surendra Singh has been found grievous in nature. Petitioners have no criminal antecedent.

5. Learned APP for the State as well as learned counsel for the informant opposed the prayer for bail by submitting that the injury sustained by the nephew of the informant has been found grievous in nature and the same has been inflicted by the petitioner no.1.

6. Having regard to the facts and circumstances of the case, considering that the injuries alleged to be inflicted by the petitioner nos.2 and 3 have been found simple in nature, let the above named petitioner nos.2 and 3, 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 Itarhi P.S. Case No.208 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. However, considering that the injury alleged to be inflicted by the petitioner no.1 has been found grievous in nature, I am not inclined to enlarge the petitioner no.1 on anticipatory bail. The prayer for grant of bail on his behalf is hereby rejected.

8. This application is accordingly partly allowed.

(Anjani Kumar Sharan, J)

pallavi/-

U		T	
---	--	---	--

