

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1654 of 2024

Arising Out of PS. Case No.-239 Year-2023 Thana- CHAINPUR District- Kaimur (Bhabua)

1. Bihari Rajbhar S/o Bhikhari Rajbhar R/V ISMAILPUR PS CHAINPUR DIST KAIMUR (Bhabhua)
2. Chulhan Bind Son of Late Mithu R/V ISMAILPUR PS CHAINPUR DIST KAIMUR (Bhabhua)
3. Kamlesh Rajbhar Son of Murat Rajbhar R/V ISMAILPUR PS CHAINPUR DIST KAIMUR (Bhabhua)
4. Gulam Pharid Dhobi Son of Kadir Dhobi R/V ISMAILPUR PS CHAINPUR DIST KAIMUR (Bhabhua)
5. Subba Rajbhar Son of Kante Rajbhar R/V ISMAILPUR PS CHAINPUR DIST KAIMUR (Bhabhua)
6. Shyam Sundar Rajbhar Son of Markandey Rajbhar R/V ISMAILPUR PS CHAINPUR DIST KAIMUR (Bhabhua)
7. Tengachu Rajbhar Son of Late Ramadhar Rajbhar R/V ISMAILPUR PS CHAINPUR DIST KAIMUR (Bhabhua)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Rakesh Kumar Mishra, Advocate
For the State	:	Mr. Dashrath Mehta, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 07-02-2024 Heard learned counsels for the parties.

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

3. As per prosecution case, on account of possession over a Gairmajarua Land, a free fight took place between the villagers of two villages in which it is alleged that these petitioners, along with others, assaulted the prosecution side.

4. It is submitted by learned counsel appearing on



behalf of the petitioners that the allegation of assault is general and omnibus and no specific allegation of overt act has been alleged against the petitioners. Moreover, the injuries sustained by the injured has been found to be simple in nature. Petitioners claim clean antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail.

6. Considering the aforesaid facts and circumstances, nature of injuries and clean antecedents of the petitioners, the prayer for grant of anticipatory bail to the petitioners is allowed.

7. Accordingly, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioners be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-2, Kaimur at Bhabua, in connection with Chainpur P.S. Case No.239 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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