

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5311 of 2024

Arising Out of PS. Case No.-129 Year-2021 Thana- DALSINGHSARAI District- Samastipur

1. SANTOSH RAY @ SANTOSH KUMAR YADAV S/O- BHOLA RAY R/O- VILL- PANR, PS- DALSINGHSARAI, DIST- SAMASTIPUR
2. RAVINDRA RAY S/O- PITAMBAR RAY R/O- VILL- PANR, PS- DALSINGHSARAI, DIST- SAMASTIPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Mahendra Pratap, Advocate
For the State	:	Mr. Khurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 17-02-2024 Heard learned counsels for the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 147, 149, 307, 323, 324, 341 and 379 of the Indian Penal Code.

3. As per prosecution case, Petitioner No. 1 is alleged to have assaulted the father of the informant by means of axe on his face whereas Petitioner No. 2 is alleged to have assaulted the brother of the informant by means of iron rod on his left hand.

4. It is submitted by learned counsel appearing on behalf of the petitioners that as a matter of fact, on the alleged date and time of occurrence, a panchayati was called to resolve the land dispute between the parties but thereafter, due to a heated argument between the parties, a scuffle took place in which both sides sustained injuries. It is further submitted that



in this case, the F.I.R. has been lodged after delay of more than twelve days, without any explanation for the same. Lastly, it is submitted that there is no allegation of repetition of assault and 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 rival submissions, nature of injuries sustained 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 Additional Chief Judicial Magistrate-I, Samastipur, in connection with Dalsinghsarai P.S. Case No.129 of 2021, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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