

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6674 of 2024

Arising Out of PS. Case No.-525 Year-2023 Thana- GARKHA District- Saran

1. Vimal Rai Son of Saryug Ray R/o- Village- Ismailepur, PS- Garkha, Distt- Saran at Chapra
2. Rohit Kumar @ Rohit Ray S/o Vimal Rai R/o- Village- Ismailepur, PS- Garkha, Distt- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Rajani Kumari, Advocate

For the Opposite Party/s : Ms.Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 22-02-2024 1. Heard learned Counsel for the petitioners and learned APP for the State.
2. This application, for grant of anticipatory bail, arises out of Garkha PS case no. 525 of 2023, disclosing offences punishable under Sections 323, 341, 324, 326, 307, 379, 504, 506 of the Indian Penal Code.
3. The prosecution story, as per the First Information Report, is that on 16.08.2023, cow of petitioner no. 1 Vimal Rai had entered into the paddy field of the informant and had grazed paddy crops. When the informant went to Vimal Rai to complain about the same, all accused persons being armed with lathi, danda, iron rod and farsa came and they started assaulting



the informant. When sons of the informant and other family members intervened, they were also assaulted. It has further been alleged that petitioner no. 1, Vimal Rai hit on the head of the son of the informant namely Devendra Rai by iron rod, due to which, he sustained head injury. The allegation against petitioner no. 2, Rohit Kumar is that he snatched 10 gms. golden chain from the neck of informant's grandson namely Aklesh.

4. Learned Counsel for the petitioners submits that both the parties are co-villagers and scuffle had taken place on the trivial issue of grazing of cow in the field of the informant. He further submits that no serious injuries have been caused to the victims, as the same has not been discussed in the impugned order. He also submits that the nature of injury is not grievous, as per the instruction of the learned counsel for the petitioners.

5. Regard being had to the submissions made on behalf of the parties, taking into consideration the nature of allegation and the fact that both the parties are co-villagers and scuffle took place on the trivial issue of grazing of cattle, I am inclined to grant the privilege of anticipatory bail to the petitioners.

6. This application is, accordingly, allowed.

7. Let petitioners, abovenamed, in the event of their



arrest or surrender before the Court below within four weeks, be released 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.-4, Saran at Chapra in connection with Garkha PS case no. 525 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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