

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9353 of 2025

Arising Out of PS. Case No.-110 Year-2024 Thana- TANKUPPA District- Gaya

1. Abhishek Kumar @ Abhisek @ Ajeet Kumar S/O Sri Chalitar Yadav R/O Village- Chamnachak, P.S- Tankuppa, Distt.- Gaya.
2. Sujeet Kumar S/O Sri Chalitar Yadav R/O Village- Chamnachak, P.S- Tankuppa, Distt.- Gaya.
3. Samundri Devi W/O Sri Chalitar Yadav R/O Village- Chamnachak, P.S- Tankuppa, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prakash Chandra Jha, Adv.
For the Opposite Party/s : Mr. Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 06-03-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with Tankuppa P.S. Case No. 110 of 2024 dated 24.07.2024, instituted for the offence punishable under Sections 190, 115, 117, 74, 352, 191(2), 126(2), 118(1), 351(2) and 303(2) of Bhartiya Nyay Sanhita.

3. The prosecution case, in short, is that due to land dispute the occurrence took place in which the informant has alleged that petitioner no. 1 assaulted her husband on the head with iron rod, which hit on his nose due to which blood started



oozing and he became unconscious and fell on the ground. It is further alleged that petitioner nos. 2 and 3 entered into house of the informant and brutally assaulted her.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. It is submitted that the present case is counter blast of Tankuppa P.S. Case no. 107 of 2024 which has been lodged on 24.07.2024 for the same occurrence by one Abhishek kumar @ Ajeet Kumar (petitioner no. 1). It is submitted that the present case has been lodged after instituting the case by the petitioner no. 1. It is submitted that the main allegation is only against petitioner no. 1, that he assaulted the husband of the informant with iron rod which hit upon his nose. It is further submitted that there is no allegation of assault against petitioner nos. 2 and 3. It is submitted that on bare perusal of impugned order, it appears that learned Sessions Judge has recorded that no adverse material could be placed by the prosecution side. It is also submitted that this occurrence took place due to land dispute between the parties. Lastly, it has been submitted that they have no criminal antecedent.

5. Learned A.P.P. has opposed the prayer for bail of the petitioners.



6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioners within a period of six weeks from today, in connection with Tankuppa P.S. Case No. 110 of 2024, they shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-Ist Class, Gaya, subject to condition as laid down under Section 438(2) of the Cr.P.C..

(Khatim Reza, J)

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