

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63319 of 2024

Arising Out of PS. Case No.-55 Year-2024 Thana- TEYAR District- Bhojpur

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1. Deepak Kumar @ Deepak Kumar Singh Son of Sri Dinanath Yadav @ Dinanath Singh Resident of Village- Kamariawn, Police Station- Tiyar, District- Bhojpur, Ara
 2. Ankit Kumar Son of Rajendra Yadav @ Rajendra Singh Yadav Resident of Village- Kamariawn, Police Station- Tiyar, District- Bhojpur, Ara

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Krishna Bihari, Advocate Ms. Tanvi Singh, Advocate Mr. Arbind Kumar, Adv Mr. Rajendra Kumar Dubey, Advocate
For the Opposite Party/s	:	Mr. Tapeswar Sharma

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

5 10-04-2025 Heard learned Counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The present application is for grant of anticipatory bail, in connection with Tiyar P.S. Case No. 55 of 2024 for offences under Sections 341, 307/34 of the B.N.S.

3. The prosecution case, as would unfold from the First Information Report, is that on 25-06-2024, during a game of cricket, a dispute arose between the accused persons and the informant, whereafter it is stated that petitioner No. 2, Ankit Kumar inflicted a blow on the head of the informant by means of a bat on account of which the informant received injury on



his head. It has been further stated that after the informant fell down, both the petitioners assaulted the informant on his waist and on the arms by means of a bat.

4. Learned counsel for the petitioners submits that the present dispute has happened in a game of cricket and there is case and counter case. It would appear from the supplementary injury report, annexed to the case diary, that a lacerated wound has been found on the frontal part of the head and another injury has been found on the right arm in the nature of bruise and abrasions. The supplementary injury report would also show that the injuries are simple in nature caused by a hard and blunt substance.

5. Learned APP for the State opposes the prayer for anticipatory bail application.

6. However, considering the fact that a blow by means of a bat has been made by petitioner no.2 on the head of the informant causing corresponding injury on vital part of the body, I am not inclined to grant the privilege of anticipatory bail to petitioner No. 2. Hence, the prayer for anticipatory bail with respect to petitioner No.2 is rejected.

7. So far as Petitioner No. 1 is concerned, the allegation upon him is that of assaulting the informant on his



waist and the arm and the injury report would show that there is only an abrasion and bruise on the right arm of the informant.

8. Considering that the entire dispute happened in a game of cricket and also considering that the injury attributed to petitioner no.1 (Deepak Kumar) is simple in nature caused by a hard and blunt substance on non-vital part of the body, let the petitioner No.1, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., IV, Bhojpur at Ara, in connection with Tiyaar P.S. Case No.55 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure/Section 482 (2) of the B.N.S.S., 2023 and subject to the further condition that the petitioner shall co-operate in the investigation/trial.

(Soni Shrivastava, J)

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