

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64867 of 2024

Arising Out of PS. Case No.-140 Year-2024 Thana- MANJHAGARH District- Gopalganj

1. Ramayan Ram Son of Hukum Ram Village- Danapur, Jagirha Tola, P.S.- Manjhagarg, Distt.- Gopalganj
2. Kishan Kumar @ Kishaan Kumar Ram Son of Ramayan Ram Village- Danapur, Jagirha Tola, P.S.- Manjhagarg, Distt.- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashank Shekhar

For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

4 19-03-2025 Heard learned counsel for the petitioners and

learned APP for the State.

2. The instant application for anticipatory bail

has been filed by the petitioners apprehending their arrest

in a case instituted for the offence punishable under

Sections 341, 323, 324, 307, 354/34 of the Indian Penal

Code.

3. Prosecution case in nutshell is that while the

informant was sitting at his door, petitioners along with

other co-accused persons came and Ramayan Ram

(Petitioner No. 1) hurled abuses and assaulted the



informant by means of iron rod, causing injury on his head and petitioner No. 2 (Kishan Kumar) assaulted him by means of *Daab* on his head. It is further alleged that when the wife of informant came to rescue him, co-accused persons threw her on the ground and assaulted her. When the daughter of informant intervened into the matter to rescue his father, she was assaulted by Kishan Kumar (Petitioner No. 2) by means of *Daab* due to which she also sustained head injuries. Lastly, it is also alleged that all the accused persons assaulted the brother of informant and damaged his motorcycle.

4. Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. In the background of land dispute and village politics, the present case has been lodged against them. There is inordinate delay of three days in lodging the F.I.R. Both parties are next door neighbors and there is litigating terms between them. Wife of petitioner No. 1, namely, Nirmala Devi has also



lodged Manjhagarh P.S. Case No. 152 of 2024 against the informant. From perusal of injury report of informant as well as his daughter (Flag 'R') it appears that injury sustained by them are simple in nature caused by sharp cutting substance. From perusal of Case Diary, it is evident that after completing investigation, chargesheet has been submitted against both the petitioners. A statement has been made in para 3 of the petition that petitioners have no criminal antecedent.

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

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above as well as considering the simple nature of injury and land dispute, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Manjhagarh P.S. Case no. 140 of 2024,



they will be enlarged on bail on furnishing bail bond of Rs.
10,000/- (Rupees ten thousand) each with two sureties of
the like amount each to the satisfaction of learned Chief
Judicial Magistrate, Gopalganj, subject to the conditions
as laid down under section 438(2) of the Cr.P.C.

(S. B. Pd. Singh, J)

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