

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70602 of 2024

Arising Out of PS. Case No.-111 Year-2024 Thana- GOPALPUR District- Gopalganj

1. Ramprit Prasad Son of Satyanarayan Prasad @ Satyanarayan Kharawar Resident of Village -Basaunapur, Police Station -Gopalpur, District -Gopalganj
2. Brijmohan Prasad Son of Satyanarayan Prasad @ Satyanarayan Kharawar Resident of Village -Basaunapur, Police Station -Gopalpur, District -Gopalganj
3. Angad Prasad son of Satyanarayan Prasad @ Satyanarayan Kharawar Resident of Village -Basaunapur, Police Station -Gopalpur, District -Gopalganj
4. Satyanarayan Prasad @ Satyanarayan Kharawar son of Late Alagu Prasad Resident of Village -Basaunapur, Police Station -Gopalpur, District -Gopalganj

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashi Ranjan Kumar
For the Opposite Party/s : Mr.Madhuri Lata

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 16-01-2025 1. Heard the parties.

2. The petitioners apprehend their arrest in connection with Gopalpur P.S. Case No. 111 of 2024 dated 20.05.2024 registered under Sections 341, 323, 324, 325, 427, 307 read with Section 34 of the I.P.C.

3. As per the first information report lodged by the informant Mohan Prasad on 15.05.2024 in the morning the petitioners along with other accused persons intercepted the informant and the petitioner no. 4 ordered to kill the informant, upon which, all



the accused persons variously armed with “lathi”, “danda”, “farsa”, iron rod etc. inflicted blow on the informant and the petitioner no. 2 assaulted the informant by iron rod from behind on his head and when the informant’s mother intervened, the petitioner no. 1 inflicted “farsa” blow upon the informant, which was resisted by the informant’s mother due to which she sustained injuries on her left hand. It has further been alleged that all the accused persons assaulted the informant and torn the uniform of the informant and the petitioner no. 3 assaulted with “lathi” resulting in fracture of his right hand finger.

4. Learned counsel for the petitioners submits that the petitioners have falsely been implicated in this case due to land dispute between the parties. Both the parties are co-villagers and they have purchased a piece of land about few years back and due to the same the present occurrence has taken place. The petitioner no. 4 is an order giver and the assault made by the petitioner no. 1 to the mother of the informant is simple in nature. Insofar as the allegation against the petitioner no. 2 & 3 is concerned, though they have allegedly assaulted the informant but grievous injuries caused to him is on the non vital part of the body.

5. On the other hand, learned counsel for the informant



vehemently opposed the prayer for anticipatory bail and submits that the informant is a practicing lawyer and on the date of occurrence during the morning court while he was going to attend his court he was accosted by the accused persons and assaulted brutally due to which he suffered fracture on head of 5th metacarpal bone of right hand and also sustained injuries on the head. The allegation of assault against the petitioner no. 2 & 3 is specific in nature.

6. Regard being had to the submission made by the parties, taking into consideration the fact that the petitioner no. 4 is order giver and assault made by the petitioner no. 1 is simple in nature, as such, I am inclined to grant anticipatory bail to the petitioner no. 1 & 4.

7. Insofar as the injuries attributable to the petitioner no. 2 & 3 having been found grievous in nature, I am not inclined to grant anticipatory bail to the petitioner no. 2 & 3, as such, their prayer for anticipatory bail is rejected.

8. Accordingly, let the petitioner no. 1 & 4, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today 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 A.C.J.M.-V, Gopalganj in connection with Gopalpur P.S. Case No. 111 of 2024 subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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