

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75443 of 2024

Arising Out of PS. Case No.-144 Year-2024 Thana- THawe District- Gopalganj

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1. Pawan Kumar Son of Swaminath Ram Resident of Village- Mathagautam, P.S.- Thawe, Distt.- Gopalganj
 2. Gyanti Devi Wife of Swaminath Ram Resident of Village- Mathagautam, P.S.- Thawe, Distt.- Gopalganj
 3. Sonu Kumar Son of Swaminath Ram Resident of Village- Mathagautam, P.S.- Thawe, Distt.- Gopalganj
 4. Swaminath Ram Son of Mukhdeo Resident of Village- Mathagautam, P.S.- Thawe, Distt.- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Shashank Shekhar, Advocate
For the State	:	Mr. Awadhesh Kumar Singh, APP
For the Informant	:	Mr. Chandra Mohan Jha, Advocate

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

5 16-07-2025 Heard learned counsel for the petitioners, learned counsel for the informant and learned APP for the State.

2. At the very outset, learned counsel for the petitioners seeks permission to withdraw this anticipatory bail application on behalf of petitioner no.1 since he has been arrested and also on behalf petitioner no.3 in order to surrender and seek regular bail.

3. Permission is accorded.

4. Accordingly, this application on behalf of petitioner nos.1 and 3 is dismissed as withdrawn.

5. Now, this application survives only for petitioner



nos.2 and 4.

6. The petitioner nos.2 and 4 apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 324, 307, 504 and 506/34 of the Indian Penal Code.

7. The allegation in the first information report is that all the accused persons came variously armed and petitioners nos.1 and 3 assaulted the informant on his neck with knife.

8. It is submitted by learned counsel for the petitioners that the petitioners have been falsely implicated in this case due to long standing land dispute. It is further submitted that from perusal of the first information report, it would appear that the specific allegation of assault is upon petitioner nos.1 and 3. So far as petitioner nos.2 and 4 are concerned, there is general and omnibus allegation against them and virtually no allegation against them is made out but for the fact that they were present at the scene of occurrence. Further, the injury sustained by the informant are simple in nature.

9. Learned APP for the State and learned counsel for the informant opposed the prayer for anticipatory bail to



petitioner nos.2 and 4 on the ground that they are accused in two other cases and out of the two cases, one is under Section 302 IPC which is with regard to murder of the mother of the informant.

10. Taking into consideration the facts and circumstances of the case as also the fact that there are no specific allegations against petitioner nos.2 and 4, let the above named petitioner nos.2 and 4, be released on bail, in the event of their arrest or surrender before the learned 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 the learned lower Court where the case is pending/successor Court in connection with Thawe P.S. Case No.144 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Soni Shrivastava, J)

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