

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85519 of 2024

Arising Out of PS. Case No.-20 Year-2024 Thana- Karnamepur District- Bhojpur

1. Anish Raj Bhar @ Anish Bhar @ Anish Kumar @ Anish Kumar Prasad Son of Dharha Raj Bhar @ Dhorha Bhar @Dhodha Raj Bhar @ Dhona Raj Bhar @ Dhona Bhar Resident of village-Prasaura, P.S- Karnamepur, Distt.- Bhojpur
2. Ravi Shankar Raj Bhar @ Ravi Shankar Bhar @ Ravi Shankar Prasad Son of Dharha Raj Bhar @ Dhorha Bhar @Dhodha Raj Bhar @ Dhona Raj Bhar @ Dhona Bhar Resident of village-Prasaura, P.S- Karnamepur, Distt.- Bhojpur
3. Dharmendra Raj Bhar @Dharmendra Bhar Son of Prem Rajbhar Resident of village- Saraiyan Reka, P.S- Sikraul, Distt.- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Akash Kumar Mishra, Advocate
For the Opposite Party/s : Mr.Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 09-01-2025 1. Heard learned Counsel for the petitioners and learned APP for the State.
2. This application, for grant of anticipatory bail, arises out of Karnamepur PS case no. 20 of 2024, disclosing offences punishable under Section 126(2) and other allied sections of the B.N.S. Act.
3. The prosecution story, as per the First Information Report, is that on 09.08.2024 in the morning, while the informant was at his home, petitioners along with other accused persons arrived there, started abusing the informant and his



family members. It has further been alleged that petitioner no. 3 along with co-accused Dhona Rajbhar assaulted the informant by means of spade. Petitioners no. 1 and 2 assaulted one Kanhaiya causing injury on his waist and hand.

4. Learned Counsel for the petitioners submits that both parties are co-sharers having previous dispute. A counter case has been lodged by the side of the petitioners bearing Karnamepur PS case no. 19 of 2024, which is prior in time to the present F.I.R. Learned counsel further submits that injury caused to Kanhaiya is simple in nature, as would be evident from injury report, annexed as Annexure-3 to the present application. Insofar as injury caused to the informant is concerned, the doctor has reserved the opinion.

5. Learned counsel for the State argued that allegation against the petitioners are specific. They have assaulted the informant's father as well as family member of informant namely Kanhaiya Kumar and both have sustained injuries.

6. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that both parties are co-sharer having case and counter case, injury caused to the victim Kanhaiya Kumar is simple in nature and the prosecution has not brought on record the injury caused to the



informant, as yet, I am inclined to grant the privilege of anticipatory bail to the petitioners.

7. This application is, accordingly, allowed.

8. Let petitioners, abovenamed, in the event of their arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Bhojpur at Arrah in connection with Karnamepur PS case no. 20 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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