

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.27123 of 2017**

Arising Out of PS.Case No. -540 Year- 2016 Thana -JAHANABAD District- JEHANABAD

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1. Kundan Kumar S/o Ram Tapasya Singh Resident of Mohalla - Purbi  
Unta, Gandhi Nagar, P.S. & District - Jehanabad.

.... .... Petitioner/s

Versus

1. The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mrs. Siyaram Shahi

For the Opposite Party/s : Mrs. Suman Kumari Singh

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI  
SHARAN SINGH**  
**ORAL ORDER**

2      01-07-2017

Heard the parties.

This application, for grant of anticipatory bail, arises out of Jahanabad P.S. Case No. 540 of 2016, disclosing offences under Sections 341, 323, 307, 379 and 504/34 of the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioner has submitted that it is evident from the First Information Report that there is land dispute between the parties and the occurrence allegedly took place when the petitioner's side was trying to raise a brick wall over the land. He has submitted that the allegation is of assaulting the informant with *Lathi-Danda* and Rod etc. and on the basis of allegation no offence, under Section 307 of the Indian Penal Code, is said to be made out.



I find substance in such submission made on behalf of the petitioner. This application is, accordingly, allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of **learned Chief Judicial Magistrate, Jehanabad**, in connection with **Jehanabad P.S. Case No. 540 of 2016**, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself/herself before the police/Court, as the case may be, as and when required and in the event of failure on his/her part to appear before the Court on two consecutive occasions, his/her bail bond shall be liable to be cancelled.

**(Chakradhari Sharan Singh, J)**

Praveen-II/-

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