

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13007 of 2017

Arising Out of PS.Case No. -105 Year- 2016 Thana -BITHAN BAZAR District- SAMASTIPUR
=====

Sahdeo Kumar, S/o Dhanraj Sah, Resident of Village-Katausi, P.S.-Bithan,
District-Samastipur.

.... Petitioner/s

Versus

The State of Bihar

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

Appearance :

For the Petitioner/s : Mr. Binod Kumar

For the Opposite Party/s : Mr. Sri Bharat Bhushan
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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 23-03-2017

Heard learned counsel for the petitioner and the

State.

The petitioner apprehends his arrest in Bithan
P.S. Case No. 105 of 2016 instituted for the offence under Section
(s) 341, 323, 324, 307, 379, 34 of the Indian Penal Code.

It has been submitted that there is case and
counter case. Prior to lodging of this case, co-accused of this case
Khatar Shah lodged Bithan P.S. Case No. 103 of 2016 against the
prosecution party. It has further been submitted that the injuries
sustained by the informant and his brother in the instant case are
simple in nature. There is land dispute between the parties for
which Title Suit is also pending.

As per written report, it is alleged that this



petitioner assaulted with knife to the informant and his brother Rohit Kumar.

The injury report of the informant and his brother Rohit Kumar has been annexed as Annexure-2 series. The doctor has found the injuries to be simple in nature and none of the injury has been found on the vital part of the body. The petitioner has also annexed the injury report of the injured sustained in the counter case which shows that injury has been sustained by both sides on account of land dispute.

In the facts and circumstances of the case, the prayer of the petitioner for anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, above named, within six weeks from today in connection with Bithan P.S. Case No. 105 of 2016, he shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Rosera, subject to the conditions as laid down under Section 438(2) of Cr.P.C.

(Sanjay Priya, J)

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