

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.69533 of 2018

Arising Out of PS. Case No.-184 Year-2018 Thana- MANSI District- Khagaria

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Sudhir Sah, Son of Late Shivjee Sah, Resident of Village- Rajajan, P.S.
Mansi, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar Agrawal

For the Opposite Party/s : Mr. Sri Murlidhar

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 18-12-2018

Heard learned counsel for the parties.

This application for anticipatory bail arises out of Mansi P.S. Case No. 184 of 2018, disclosing offences under Sections 447, 341, 232, 354(a), 307, 504 and 506/34 of the Indian Penal Code.

It is evident from the first information report that there was a land dispute between the informant and the petitioner. Allegedly, the petitioner and his family members assaulted the informant with *lathi*, causing such injuries.

Learned counsel, appearing on behalf of the petitioner submits that no offence under Section 307 of the IPC is made out in the absence of any ingredient to the effect that the assault was made with an intention of causing murder.



Considering the aforementioned submissions and the fact that the land dispute between the parties is the reason behind the occurrence, this application is allowed. Let the petitioner above named, in the event of his arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand), with two sureties of the like amount each, to the satisfaction of the learned C.J.M., Khagaria in Mansi P.S. Case No. 184 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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

(Chakradhari Sharan Singh, J)

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