

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.42392 of 2018**

Arising Out of PS.Case No. -219 Year- 2018 Thana -HAJIPUR District- VAISHALI(HAJIPUR)

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1. Chandra Bhushan Singh, S/o Late Bidya Nath Singh,  
2. Bibhu Kumar @ Shubham Kumar, S/o Shashi Bhushan Singh,  
3. Ishu Singh @ Shivam Kumar, S/o Chandra Bhushan Singh,  
All R/o Mohalla- Hathsar-ganj Hajipur, P.S.- Town Hajipur, Distt.-  
Vaishali.

.... .... Petitioner/s

Versus

The State of Bihar

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

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**Appearance :**

For the Petitioner/s : Mr. Satyendra Narayan Singh, Advocate.  
For the informant : Mr. Shakti Suman Kumar, Advocate.  
For the Opposite Party/s : Smt. Veena Rani Prasadd.

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**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA**  
**ORAL ORDER**

3      18-08-2018                      Heard learned counsel for the petitioners, counsel for  
the informant and the State.

The petitioners apprehend their arrest in **Hajipur**  
**Town P.S. Case No. 219 of 2018** instituted for the offence under  
Sections 341, 323, 308, 379, 504 and 506/34 of the Indian Penal  
Code.

It has been submitted that the instant case has been  
filed on account of land dispute.

In the written report it is alleged that petitioner No. 1  
assaulted the informant with iron rod on his both legs causing  
injury to him and he fell down. Thereafter, petitioner No. 2 caused



injury with sword on his head. Petitioner No. 3 assaulted with iron rod on both shoulders of the informant.

Case diary has been received.

The injury report of the informant is available in paragraph-17 of the case diary wherein the Doctor has found injury No. 3, 5 and 6 to be grievous which were fracture over forearm, right ankle and left knee of the informant.

There is specific allegation against petitioner Nos. 1 and 3 of causing injury with iron rod on both legs as well as shoulders of the informant which were grievous in nature.

Therefore, this Court is not inclined to grant anticipatory bail to petitioner Nos. 1 and 3.

Prayer for anticipatory bail of petitioner Nos. 1 and 3 stands rejected.

So far petitioner No. 2 is concerned, the allegation against him is of assaulting with sword on the head of the informant but, only bruise on right side of forehead of the informant was found which was opined to be simple in nature.

Counsel for the informant has appeared and opposed the prayer for anticipatory bail of the petitioners.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner No. 2 is allowed. In



the event of surrender/arrest of the petitioner No. 2, named above, within six weeks from today, in connection with **Hajipur Town P.S. Case No. 219 of 2018**, 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 **Additional Chief Judicial Magistrate, Hajipur at Vaishali**, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be liable to cancel his bail bond and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

**(Sanjay Priya, J)**

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Rohit Kr.

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