

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4150 of 2019

Arising Out of PS. Case No.-289 Year-2018 Thana- RAMNAGAR District- West Champaran

1. Vindhyachal Pandey, age-73 years, Gender -(M), Son of Ram Pujan Pandey, Resident of Vill- Sonekhar, P.O. and P.S-Ramnagar, Distt.-West Champaran
2. Prabhakhar Pandey @ Munna Pandey, age-55 years, Gender (M), Son of Vindhyachal Pandey, Resident of Vill-Sonekhar, P.O and P.S-Ramnagar, Distt.-West Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vikas Ratan Bharti
For the Opposite Party/s : Mr.Anil Prasad Singh

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 28-01-2019 Heard learned counsels for the petitioners and the State.

The petitioners, being the father and brother of the informant are apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 324, 307, 379 and 504/34 of the IPC.

The prosecution case, as per the written report of Sudhakar Pandey, dated 29.09.2018, submitted to the Station House Officer, Ramnagar Police Station, is to the effect that in the background of land dispute, on the same day, at about 6.30 A.M., the informant was sitting at his door, in the meantime, the petitioners came and abused the informant and also assaulted



him with spade and iron rod and when the wife of the informant came to rescue him, then she was also assaulted by the petitioners. The petitioners also took away jewellery and cash of Rs. 1,25,000/-, which were kept in the house for the marriage purpose.

It is submitted by learned counsel for the petitioners that in the background of land dispute, the accusation has been levelled against the petitioners. There is counter version of the occurrence also, being Ramnagar P.S. Case No. 290 of 2018, lodged by the wife of petitioner no.2, against the informant of the present case. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP submits that accusation is specific against the petitioners.

Considering the genesis of occurrence being land dispute, the petitioners being the father and brother of the informant and the fact that the FIR does not suggest that any grievous injury being caused to the informant, coupled with the statement made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioner be released on anticipatory bail in the event of



arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Bagaha, West Champaran in connection with Ramnagar P.S. Case No.289 of 2018, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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