

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19590 of 2019

Arising Out of PS. Case No.-439 Year-2018 Thana- BAIRIYA District- West Champaran

1. BECHU BHAGAT Son of Late Bindhayachal Bhagat R/o Village- Balua Malahi, P.S.- Bairiya, District- West Champaran
2. Ashok Bhagat Son of Late Bindhayachal Bhagat R/o village- Balua Malahi, P.S.- Bairiya, District- West Champaran
3. Santosh Bhagat Son of Bindhayachal Bhagat R/o village- Balua Malahi, P.S.- Bairiya, District- West Champaran
4. Yadolal Bhagat Son of Late Bindhayachal Bhagat R/o village- Balua Malahi, P.S.- Bairiya, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Basistha Narayan Mishra
		Mr. Brij Kishor Mishra
For the Opposite Party/s	:	Mr. Rajendra Nath Jha

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 26-07-2019 Heard learned Counsel for the petitioners and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Bairiya Police Station Case No. 439 of 2018, disclosing offences under Sections 341/323/324/307/447/379/504/506/34 of the Indian Penal Code.

The allegation against the petitioners is that the petitioners along with other co-accused persons assaulted the informant and his family members, causing injuries to them.

Learned Counsel for the petitioners submits that both



the parties, i.e. the petitioners and the informant are co-sharer and there was dispute over a passage of 5-feet and the reason behind this occurrence is the dispute between the parties over the said passage. He further submits that injuries caused to four persons from the side of the informant are simple in nature and subsequently the informant as well as the petitioners have amicably settled their dispute and the petitioners have given to the informant the said passage of 5-feet. In support of this submission, learned Counsel has relied on Annexure-2 to this application.

After having heard learned Counsel for the parties and taking into consideration the fact that both the parties are co-sharers and the parties have amicably settled their dispute and further that the injuries caused to the informant side are simple in nature, this application is allowed.

Let the petitioners, above named, in the event of their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned 7th Additional Chief Judicial Magistrate, West Champaran, at Bettiah, in connection with Bairiya Police Station Case No. 439 of 2018, subject to the condition laid



down under Section 438 (2) of the Code of Criminal Procedure.

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

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