

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.29039 of 2019**

Arising Out of PS. Case No.-330 Year-2018 Thana- BAKHARI District- Begusarai

SUMIT KUMAR, Son of Raghunandan Mahto, Resident of Village -  
Gangraho, P.S.- Bakhri, Distt - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Nakul Kumar Jamuar

For the Opposite Party/s : Mr. Anant Kumar 1

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH**

ORAL ORDER

2      02-05-2019                      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

This application for anticipatory bail, arises out of Bakhri Police Station Case No. 330 of 2018, disclosing offences punishable under Sections 341/323/324/308/354(B)/379/34 of the Indian Penal Code.

It is apparent from the First Information Report that the petitioner is own nephew of the husband of the informant. It is alleged that the persons, named in the First Information Report, were using abusive language and allegedly, on instigation of co-accused, Raghunandan Mahto, the petitioner assaulted one Mukesh Kumar and Rupesh Kumar, in their heads with axe.



It has been stated that there is land dispute between the parties, in respect of which, a title suit is pending and the mother of the petitioner has also lodged a case in June 2018, registered as Bakhri P.S. Case No. 204 of 2018, whereafter the case against this petitioner and others was instituted, being Bakhri P.S. Case No. 205 of 2018, as has been mentioned in paragraph 3 of the application. Two of the persons named in the First Information Report have been granted anticipatory bail by this Court, by order, dated 08.03.2019, passed in Criminal Misc. No. 13893 of 2019.

Considering the above submission, this application is allowed.

Let the petitioner, Sumit Kumar, in the event of his arrest or surrender before the Court below within six weeks, 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 Additional Chief Judicial Magistrate – V, Begusarai, in connection with Bakhri P.S. Case No. 330 of 2018, subject to the condition 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 the 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.)**

Ashish/Ragini-

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