

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35541 of 2019

Arising Out of PS. Case No.-19 Year-2019 Thana- RAJGIR District- Nalanda

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DHEERAJ KUMAR @ DHEERAJ YADAV Son of Late Kapil Deo Singh
Resident of Bari Milki Gandhi Tola Rajgir, P.S.- Rajgir, District- Nalanda.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Adv. Mr. Malay Kumar Chaudhary, Advo. Mrs. Babita Kumari
For the Opposite Party/s :		Mr. Parmanand Kumar

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 19-09-2019 The petitioner apprehend his arrest in connection with Rajgir P. S. Case No. 19 of 2019 registered under Sections 147, 148, 149, 307, 323, 379 and 504 of the Indian Penal Code and 27 of the Arms Act.

Allegation against the petitioner is that petitioner along with other co-accused persons assaulted the informant and his brother and petitioner assaulted the informant by means of *Farsa* on his head.

Learned counsel appearing on behalf of the petitioner submits that both parties are neighbours and there was a dispute relating to construction of hotel on the land of the petitioner in which one parapet (Chhajja) was being protruding towards the land of the informant . He further submits that there is case and counter case in between the parties and Rajgir P.S. Case No. 23



of 2019 has been lodged by mother of the petitioner against the informant and other for the same incidence and the injury caused to the informant has been found to be simple in nature.

Having regard to the submissions made by the parties and taking into consideration the fact that both parties are neighbour and there is case and counter case in between the parties and injury caused to the informant is found to be simple in nature, as such I am inclined to grant anticipatory bail to the petitioner.

Let the petitioner, above-named, in the event of arrest or surrender before the court below within a period of four weeks from the date of receipt of a copy of this order, be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned CJM, Nalanda at Biharsharif in connection with Rajgir P.S.Case No. 19 of 2019; subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

sujit/-

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