

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45098 of 2019

Arising Out of PS. Case No.-35 Year-2019 Thana- BISHWAMBHARPUR District-
Gopalganj

-
1. Dinanath Sah, Son of Late Chhadhari Sah Resident of Village - Vijayipur, P.S.- Bishambharpur, Dist.- Gopalganj.
 2. Pundeo Sah @ Mundeoh Sah, S/o Dinanath Sah Resident of Village - Vijayipur, P.S.- Bishambharpur, Dist.- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Shrivastwa
For the Opposite Party/s : Mr.Ram Priya Sharan Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 27-09-2019 Heard learned counsel for the petitioner No.2 and
learned counsel appearing on behalf of the State.

Petitioner No.2 apprehends his arrest in connection with Bishambharpur P.S. Case No.35 of 2019, for the offence punishable under Sections 341, 323, 324, 325, 307, 379 and 504/34 of the Indian Penal Code.

The allegation against the petitioner No.2 is that he assaulted the informant by means of Farsa on his head. Insofar as petitioner No.1 is concerned, he has already been arrested and vide order dated 23.07.2019, the application for petitioner No.1 has already been dismissed as infructuous.

Learned counsel for the petitioner No.2 submits that both the parties are co-villagers and there is land dispute between them. Learned counsel further submits that there is case and counter case



inasmuch that complaint Case No.1028 of 2019 has been lodged by petitioner against the informant and others. Learned counsel further submits that the petitioner No.2 has also received injury, as would be evident from Annexure -2. Learned counsel relying upon paragraph 13 of the case diary submits that 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 the parties are co-villagers and there is case and counter case and injury caused to the informant has been found to be simple in nature, I am inclined to grant anticipatory bail to the petitioner No.2.

Accordingly, the petitioner No.2, above named, is directed to surrender before the learned Court below within a period of four weeks from today and in the event of surrender by him, he shall be released on anticipatory bail by the Court below upon furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj, subject to the condition as mentioned under Section 438 (2) of Cr.P.C.

sanjeev/-

(Anil Kumar Sinha, J)

U		T	
---	--	---	--

