

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47020 of 2019

Arising Out of PS. Case No.-67 Year-2019 Thana- RAMNAGAR District- West Champaran

1. PAPPU SINGH @ PAPPU SNGH @ CHANDRA BHUSAN RAO, aged about 39 years, Sex-Male, Son of Late Nathuni Singh
2. Prem Yadav, aged about 54 years, Sex-Male, Son of Uma Yadav
Both Residents of Village - Bahuari Devraj, P.S.- Ram Nagar, Distt - West Champaran.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Milind Kumar Mishra, Advocate

For the Opposite Party/s : Mr.Abhay Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 15-10-2019 Heard learned counsel for the petitioners, learned counsel for the informant and learned Additional Public Prosecutor for the State.

The petitioners are seeking anticipatory bail in connection with Ram Nagar P.S. Case No. 67 of 2019 registered under Sections 147, 148, 149, 341, 323, 324, 307, 436, 427 of the Indian Penal Code, pending in the court of learned Sub-Divisional Judicial Magistrate, Bagaha, West Champaran.

Learned counsel for the petitioners submits that there is a case and counter case between the parties. Both the parties seems to have indulged in free-fight and caused



injuries to each other. It is stated that the injuries found on the body of the informant and his side are simple in nature. It is further submitted that the petitioner no. 1 had also suffered injuries, however his injury report has not been brought on record.

Learned counsel for the informant has opposed the prayer for anticipatory bail of the petitioners. He has shown from the injury reports that there are injuries on the body of the informant and some other persons which indicate that repeated Lathi blow have been given upon those persons. It is further submitted that the petitioner no. 2 has got a criminal antecedent.

Learned counsel for the petitioners however submits that the case against petitioner no. 2 is under the Excise Act.

Having heard learned counsel for the parties, finding that there are injury reports available on the record which show repeated blow on the informant and some other persons, this court is not inclined to grant privilege of anticipatory bail to the petitioners.

Considering however that it is a case arising out of



land dispute and there is a case and counter case, this court directs that in case the petitioners surrender and pray for regular bail within a period of four weeks from today the same will be considered by the court below keeping in view the fact and the materials, if any, on the record showing that there is a case and counter case. It is stated that petitioner no. 1 has also suffered injury and upon consideration of the materials an appropriate order shall be passed by the court below.

This application is disposed off accordingly.

(Rajeev Ranjan Prasad, J)

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