

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55032 of 2019

Arising Out of PS. Case No.-38 Year-2019 Thana- DINARA District- Rohtas

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1. BACHAN RAI @ BACHAN JI RAI S/O- Late Rupan Rai Resident of Village- Daudaha, P.S.- Dinara, District- Rohtas.
 2. Narendra Rai S/O- Late Rupan Rai Resident of Village- Daudaha, P.S.- Dinara, District- Rohtas.
 3. Tunti Rai @ Ravikant Rai Son of Bachan Rai Resident of Village- Daudaha, P.S.- Dinara, District- Rohtas.
 4. Vijay Shankar Choudhary Son of Late Nagina Choudhary Resident of Village- Daudaha, P.S.- Dinara, District- Rohtas.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinod Kumar
For the Opposite Party/s : Mr.Dr. Ajeet Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 02-09-2019 Heard learned Counsel for the petitioners and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Dinara Police Station Case No. 38 of 2019, disclosing offences under Sections 341/504/506/349 of the Indian Penal Code and Section 27 of the Arms Act.

The allegation against the petitioners, as per the First Information Report, is that the petitioners, armed with rifles, guns, etc. arrived near the house of the informant and told him to withdraw the case lodged on 15.01.2019 and abused the



informant and his family members and also made firing from the rifles allegedly carried by them.

Learned Counsel for the petitioners submits that the petitioners have falsely been implicated in this case inasmuch as there is case and counter case and Dinara Police Station Case No. 37 of 2019 has been filed against the informant by petitioner no. 3 for the same incident, which is prior in time to the case filed by the informant. He further submits that both the parties are agnates and there is previous land dispute between them. He further submits that nobody has sustained any injury due to the alleged firing by the petitioners. He further submits that both the parties have entered into compromise and have amicably settled their dispute, as would be evident from Annexure-1 to this application.

After having heard learned Counsel for the parties and taking into consideration the fact that both the parties are agnates, there is case and counter case and the case lodged by petitioner no. 3 is prior in time to the case lodged by the informant, I am inclined to grant the petitioners privilege of anticipatory bail. Accordingly, 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 Chief Judicial Magistrate, Rohtas, at Sasaram, in connection with Dinara Police Station Case No. 38 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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