

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57083 of 2019

Arising Out of PS. Case No.-246 Year-2019 Thana- MOTIHARI MUFASIL District- East
Champaran

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1. Vijay Prasad @ Vijay Kumar Prasad Son of Asarfi Sah
 2. Bhairav Lal Sah @ Bhairo Lal Sah Son of Late Shiv Shankar Sah
 3. Ashok Sah Son of Late Shiv Shankar Sah
- All are residents of Village- Lakhaura Ganesh Tola, P.S.- Lakhaura, District-
East Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anshu Dhar Sharma, Advocate
For the Opposite Party/s : Mr. Ramchandra Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 09-09-2019 Heard learned counsel for the petitioners and learned
APP representing the State.

The petitioners apprehend their arrest in connection
with Muffasil (Lakhaura) P.S. Case No. 246 of 2019, registered
under Sections 341, 147, 323, 324, 307, 379, 335 and 504 of
the Indian Penal Code.

The allegation against the petitioners, as per FIR, is
that petitioners along with other co-accused persons assaulted
the informant by means of *lathi* and iron rod.

Learned counsel for the petitioners submits that the
petitioners have falsely been implicated in this case, inasmuch
as there is case and counter case between the parties for the



same incident. He further submits that both the parties are co-villagers and there was a land dispute between the parties.

Learned counsel for the petitioner relying upon the impugned order submits that injury caused to informant was found simple in nature.

After having heard learned counsel for the parties and taking into consideration the fact that there is case and counter case, both the parties are co-villagers having land dispute and injury caused to the informant is simple in nature, I am inclined to grant anticipatory bail to the petitioners.

This application is, accordingly, allowed.

Let the petitioners, abovenamed, in the event of arrest or surrender before the court below within a period of four weeks from today, be released on bail upon furnishing bail bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Motihari in connection with Muffasil (Lakhaura) P.S. Case No. 246 of 2019; subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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