

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58131 of 2019

Arising Out of PS. Case No.-287 Year-2016 Thana- MAJORGANJ District- Sitamarhi

1. LALAN SINGH, S/o Late Jotnarayan Singh
2. Bhola singh @ Mritunjya kumar Singh @ Mritunjay Singh S/O Lalan Singh
3. Pranav Singh @ Mahant Singh S/O Lalan Singh
All R/O Village- Marpa Ishwardas, P.S.- Majorganj, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dinesh Jha

For the Opposite Party/s : Mr.Awadhesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 16-09-2019 The petitioners apprehend their arrest in connection with
Majorganj P. S. Case No. 287 of 2016 registered under Sections
307,323,341,379 and 504/34 of the Indian Penal Code.

Allegation against the petitioners, as per FIR, is that while
the informant was cleaning his land bearing Plot No. 1429 and
1430, the accused persons including the petitioners came near
the place of occurrence and petitioner no. 1 assaulted the
informant by means of *lathi*, petitioner no. 2 assaulted the
informant by means of spade and petitioner no. 3 allegedly took
out golden chain from the neck of the informant.

Learned counsel appearing on behalf of the petitioners
submits that there is land dispute between the parties and there



is case and counter case in between the parties inasmuch as Majorganj P.S.Case No. 288 of 2016 has been lodged for the same occurrence on the same day. Learned counsel for the petitioners further submits that petitioners have been given advantage of Section 41(A) of Cr.P.C. and the police has submitted charge sheet under Section 308 and other sections of penal code against the petitioners. He further relying upon Annexure-2, submits that injury, caused to the informant by hard and blunt substance, has been found to be simple in nature inasmuch as from perusal of the size of the injury, the same appears to be not serious in nature.

Having regard to the submissions made by the parties and taking into consideration the fact that there is land dispute between the parties and there is case and counter case in between the parties as such I am inclined to grant anticipatory bail to the petitioners.

Let the petitioners, 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/- each with two sureties of the like amount each to the satisfaction of the learned CJM, Sitamarhi in connection with Majorganj P.S.Case No. 287



of 2016; 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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