

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60085 of 2019

Arising Out of PS. Case No.-44 Year-2019 Thana- BAUSI District- Purnia

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MOHAN LAL SAH @ MOHAN SAH Son of late Jitan Lal Sah Resident of
Village - Dargahiganj, P.S.- Baisi, Distt - Purnea.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bijendra Kumar Singh

For the Opposite Party/s : Mr.Anand Mohan Prasad Mehta

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 20-11-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Baisi P.S. Case No. 44 of 2019, disclosing the offence under Section 147, 341, 323, 308, 504, 506 of the Indian Penal Code.

It is alleged that land dispute between the informant family and the person named in the F.I.R had given two of the occurrence if any, as alleged in the F.I.R. For the occurrence said to have taken place on 28.02.2019, F.I.R has been registered on 02.03.2019. It is the petitioner's case that for the same offence, same occurrence Baisi P.S. Case No. 45 of 2019 has been registered for the offence punishable under Sections 147, 341, 323, 307, 379, 504, 506, 427 of the I.P.C. to which Section 302 has subsequently been added.



Learned counsel appearing on behalf of the petitioner contends that the present case is as a matter of fact, counter blast to the F.I.R registered as Baisi P.S. Case No. 45 of 2019.

From the F.I.R, it appears that there is allegation against the petitioner of having assaulted the informant's wife and son with an iron-rod.

Be that as it may, considering the fact that for the same occurrence there are case and counter case and both side are said to have received injuries and further that on the petitioner's side his father is said to have died of injuries sustained by him in this occurrence, this application is allowed. Let the petitioner above-named, in the event of his arrest/surrender within six weeks from today in the court below, be released on bail on furnishing bail bonds of Rs,10,000/- (ten thousand), with two sureties of the like amount, each to the satisfaction of learned C.J.M. Purnea, in Baisi P.S. Case No. 44 of 2019, subject to the condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

This is the subject to the condition that the petitioner shall present himself before the Police/ Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his



bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

T.Kr./-

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