

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62038 of 2019

Arising Out of PS. Case No.-228 Year-2018 Thana- KAKO District- Jehanabad

=====

RAUSHAN KUMAR @ MUNNA @ ROUSHAN KUMAR @ MUNNA
KUMAR Son of Ramesh Sharma Resident of Village - Nagma, P.S.- Ghoshi,
Dist.- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Arbind Kumar Singh

For the Opposite Party/s : Mrs.Anita Kumari

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 17-10-2019 The petitioner apprehends his arrest in connection with

Kako (Bhelawr OP) P. S. Case No. 228 of 2018 registered under

Sections 147,148, 149, 307, 323, 325, 341, 379, 504 and 506 of

the Indian Penal Code and 27 of the Arms Act.

Allegation against the petitioner is that he along with other
accused persons assaulted the informant by means of butt of
country made gun.

Learned counsel appearing on behalf of the petitioner
submits that both parties are agnate and there is land dispute
between them. He further submits that title suit and partition suit
are pending between the parties and a counter case has also been
lodged by the side of the petitioner inasmuch as Kako (Bhelawar
O.P.) P.S.Case No. 229 of 2018 has been lodged by the aunt of the
petitioner no. 1 for the same occurrence on the same day. Learned
counsel referring to Annexure-4 submits that similarly situated



accused persons have been granted anticipatory bail by a co-ordinate Bench of this Court in Cr.Misc. No. 54563 of 2019 and the injuries caused to the informant and her husband have been found to be simple in nature.

Having regard to the submissions made by the parties and taking into consideration the fact that both parties are agnate and there is land dispute between them and the injuries caused to the informant and her husband have been found to be simple in nature and similarly situated other accused persons have been granted anticipatory bail, as such I am inclined to grant anticipatory bail to the petitioner.

Let the petitioner, 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/- with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Jehanabad in connection with Kako (Bhelawar O.P.) P.S.Case No. 228 of 2018; subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

sujit/-

U		T	
---	--	---	--

