

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65193 of 2019

Arising Out of PS. Case No.-98 Year-2019 Thana- LAUKAHI District- Madhubani

1. RAJ KUMAR SAH S/o Late Bindeshwar Sah 2. Sunil Kumar Sah S/o Raj Kumar Sah Both are R/o village and P.S.- Laukahi, District- Madhubani	...	...	Petitioner/s
Versus			
The State of Bihar	...	...	Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Uday Bahadur Rai Mr. Baleshwar Kamat
For the Opposite Party/s	:	Mr. Rajiv Nayan

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 25-10-2019 Heard learned Counsel for the petitioners and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Laukahi Police Station Case No. 98 of 2019, disclosing offences under Sections 341/323/307/379/504/506/34 of the Indian Penal Code.

The allegation against the petitioners is that the petitioner no. 1 gave order to assault the informant and acting upon that, petitioner no. 2 assaulted the informant by means of farsa on his head.

Learned Counsel for the petitioners submits that both the parties are agnates and there is land dispute between them inasmuch as the present dispute has arisen due to the fact that pillars erected by the informant on the land has been removed



by the side of the petitioners. He further submits that for the same incident, a counter case has also been lodged by the side of the petitioners, bearing Laukahi Police Station Case No. 100 of 2019. He next submits that both the sides have received injuries.

Having regard to the submissions made on behalf of the parties and taking into consideration the fact that both the parties are agnates, there appears to be case and counter case and both sides have received injuries, I am inclined to grant the petitioners privilege of anticipatory bail.

This application is, accordingly, 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 Sub Divisional Judicial Magistrate, Jhanjharpur, Madhubani, in connection with Laukahi Police Station Case No. 98 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

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