

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69841 of 2019

Arising Out of PS. Case No.-126 Year-2019 Thana- DAGARUA District- Purnia

Upendra Roy, Son of Sri Moti Roy, Resident of Village - Belagachhi, P.S.-
Dagarua, Distt - Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amit Kumar Anand

For the Opposite Party/s : Mr.Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 20-11-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 341, 323, 324, 307, 379, 504 and 506 of the Indian Penal Code.

It is alleged that on 21.07.2019, all the accused persons including the petitioner assaulted the informant, his son, daughter-in-law and wife of the informant and snatched Rs.5,000/-. It is specifically alleged against the petitioner that he assaulted the informant with a sword.

It is submitted by learned counsel for the petitioner that the petitioner is agnate of the informant and in the background the land dispute, the accusation has been levelled. There is a counter version of the occurrence also being Dagarua P.S. Case No. 127 of 2019 registered for the offences under Sections 147, 149, 341, 323, 307, 504 and 506 of the Indian



Penal Code. The impugned order suggests that the informant received three injuries but all the injuries have been found simple in nature. A statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the accusation of assault is specific against the petitioner.

Considering the fact that in the background of land dispute, the accusation has been levelled and there being a counter version of the occurrence also, coupled with the statement made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Purnea in connection with Dagarua P.S. Case No. 126 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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