

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.5708 of 2020**

Arising Out of PS. Case No.-64 Year-2019 Thana- SHYAMPUR BHATHA District- Sheohar

1. YUNUS SAH Son of Late Israil Sah Resident of Village-Paharpur, P.S.- Shyampur Bhataha, District-Sheohar.
2. Nek Mohammad Son of Yunus Sah Resident of Village-Paharpur, P.S.- Shyampur Bhataha, District-Sheohar.
3. Aash Mohammad Son of Yunus Sah Resident of Village-Paharpur, P.S.- Shyampur Bhataha, District-Sheohar.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Devendra Kumar, Advocate

For the Opposite Party/s : Mr.Shyam Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

4 18-06-2020 Heard learned counsel for the petitioners and learned APP for the State.

The petitioners in the present case are full brother and two nephews of the informant who are seeking anticipatory bail in connection with Bhataha P.S. Case No. 64 of 2019 registered for the offence punishable under Sections 323, 341 and 504/34 of the Indian Penal Code, pending in the court of learned A.C.J.M., Sheohar.

Learned counsel for the petitioners submits that there is an admitted land dispute between the parties and in the said land dispute the parties seem to have entered into some quarrel. It is submitted that now they have settled their dispute amicably and in order to buy peace they have submitted affidavit in the court below.

Learned APP for the State submits that from the Fardbeyan of the informant it appears that he was assaulted by



these petitioners and the medical report shows that the informant had suffered injury on the left forearm and Taslima Khatoon who is wife of the informant had suffered injury on the mid of her head.

Having regard to the facts and circumstances of the case wherein both the parties are said to be co-sharers and they have resolved their disputes amicably outside the court in order to buy peace, instead of granting anticipatory bail to these petitioners this Court grants liberty to the petitioners to surrender in the court below within a period of four weeks from today and on their surrender the court below shall consider their prayer for regular bail on the same day in the light of the development that both the co-sharers have decided to settle their disputes amicably and want to remain peacefully. The Court below shall not be prejudiced by the fact that this Court has not granted anticipatory bail to these petitioners.

This Application stands disposed off accordingly.

(Rajeev Ranjan Prasad, J)

Rajeev/Arvind

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

