

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 9491 of 2020

Arising Out of PS. Case No.-284 Year-2018 Thana- BAKHARI District- Begusarai

1. CHANDAN SAH @ CHANDAN KUMAR (SAH) Son of Mantun Sah Resident of Village - Salauna (presently Resident of Village - Bakhri, Ward No. 10), P.S. - Bakhri, District - Begusarai.
2. Ranjit Sah @ Sunil Kumar Son of Mantun Sah Resident of Village - Salauna (presently Resident of Village - Bakhri, Ward No. 10), P.S. - Bakhri, District - Begusarai.
3. Sanjit Sah @ Sanjiv Sah Son of Mantun Sah Resident of Village - Salauna (presently Resident of Village - Bakhri, Ward No. 10), P.S. - Bakhri, District - Begusarai.
4. Chhote Lal Sah @ Rajendra Kumar Son of Mantun Sah Resident of Village - Salauna (presently Resident of Village - Bakhri, Ward No. 10), P.S. - Bakhri, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rai Mukesh Sharma, Advocate

For the Opposite Party/s : Mr.Mohammad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 03-03-2020 Heard learned Counsel for the petitioners and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Bakhri Police Station Case No. 284 of 2018, disclosing offences under Sections 341, 323, 324, 325, 379, 385, 307/34 of the Indian Penal Code.

The allegation against the petitioners as per the FIR is that the petitioners along with other accused persons entered into the house of the informant and assaulted the informant and



others by means of bhala, farsa, iron rod etc.

Mr. Rai Mukesh Sharma learned Counsel appearing for the petitioners submits that both the parties are agnates and co-villagers and there is a land dispute between them. Learned Counsel further submits that there is case and counter case between the parties inasmuch as Bakhri P.S Case No. 285 of 2018 has been lodged by the side of the petitioners against the informant and others for the same incident. Learned Counsel further referring to Annexure-2 series submits that all the injuries caused to the informant and others are simple in nature except injury no. 2 caused to Manoj Sah which has been opined by the doctor as grievous near the wrist which is non vital part of the body. Learned Counsel further submits that the side of the petitioners have also received injuries at the behest of the informant and others.

Having regard to the submissions made on behalf of the parties and taking into consideration the fact that both the parties are agnates and there is case and counter case between them and there is a land dispute between the parties and the injuries caused to the victims are simple in nature except one injury on the non vital part of the body i.e. wrist, 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 bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai, in connection with Bakhri Police Case No. 284 of 2018, subject to condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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