

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10537 of 2020

Arising Out of PS. Case No.-190 Year-2017 Thana- HARSIDHI District- East Champaran

1. RAMADHAR PATEL S/o Late Sukhal Raut R/o village- Math Lohiyar Sahmalwa Tola, P.S.- Harsidhi, District- East Chamaparan
2. Rajan Kumar Patel @ Rajan Kr. Patel S/o Jata Shankar Patel R/o village- Math Lohiyar Sahmalwa Tola, P.S.- Harsidhi, District- East Chamaparan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhurendra Kumar

For the Opposite Party/s : Mr.Md. Aslam Ansari

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 23-06-2020 Heard learned Counsel for the petitioners and learned Additional Public Prosecutor representing the State, through Video Conferencing.

This application, for grant of anticipatory bail, arises out of Harsidhi Police Station Case No. 190 of 2017, disclosing offences under Sections 341/323/307/504/34 of the Indian Penal Code.

The allegation against the petitioners is that the petitioner no. 2 assaulted the son of the informant on his head by means of iron rod and the petitioner no. 1 along with co-accused Jokhu Raut assaulted with lathi and danda.

Learned Counsel for the petitioners submits that there



is land dispute between the parties inasmuch as both the parties are co-villagers. He further submits that the injuries caused to the son of the informant have been found to be simple in nature. He further submits that the police, after completion of investigation, did not submit charge sheet against the petitioners and the petitioners have not been sent up for trial. However, the learned Magistrate, differing with the police report, has taken cognizance against the petitioners. He further submits that co-accused persons, Jokhu Raut (by order, dated 20.09.2017, passed in Criminal Misc. No. 42914 of 2017) and Chhathu Raut (by order, dated 24.11.2017, passed in criminal Misc. No. 48265 of 2017), have been granted anticipatory bail by this Court.

Having regard to the submissions made on behalf of the parties and taking into consideration the fact that both the parties are co-villagers and the injuries sustained by the son of the informant have been found to be simple in nature, 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 six weeks from today, 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 Judicial Magistrate,
1st Class, East Champaran, at Motihari, in connection with
Harsidhi Police Station Case No. 190 of 2017, subject to the
condition laid down under Section 438 (2) of the Code of
Criminal Procedure.

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

U	✓	T	✓
---	---	---	---

