

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23027 of 2020

Arising Out of PS. Case No.-127 Year-2016 Thana- MUSRIGHRARI District- Samastipur

BIPIN DAS S/o Ramsagar Das Resident of Village- Murgiyachak, Fatehpur,
P.S.- Musrigharari, Distt- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Aprajita, Advocate

For the Opposite Party/s : Mr. Ashok Kumar Singh No. 13, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 08-12-2020 Heard Ms. Aprajita, learned counsel for the

petitioner and Mr. Ashok Kumar Singh No. 13, learned

Additional Public Prosecutor appearing for the State through

video conferencing.

Petitioner apprehends arrest in connection with

Musrigharari P.S. Case No. 127 of 2016 registered for the

offences punishable under Sections 323, 341, 379 and 307 of the

Indian Penal Code, 1860.

The allegation as per the First Information Report is

that the petitioner assaulted the informant by means of iron rod

on his head along with other co-accused persons.

Learned counsel for the petitioner submits that the

petitioner has falsely been implicated in this case due to land

dispute and both the parties are neighbours. Learned counsel



further submits that the date of occurrence is of 18.06.2016, but the complaint which has been converted into First Information Report has been lodged on 7.11.2016. Learned counsel also submits that other co-accused persons have been granted anticipatory bail by learned court below by the same impugned order.

Learned counsel for the State referring to the case diary submits that the injury report of the victim is available on the record, but the Doctor has examined the informant (victim) on 23.06.216 and has found the injury on the head of the victim and he has not given his opinion regarding nature of injury.

Having heard learned counsel for the parties and taking into consideration the materials on record, the fact that the informant (victim) was examined after five days of the date of occurrence and the Doctor has not given about the nature of injury as well as both the parties are neighbours having land dispute between them, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, in the event of arrest or surrender before the court below within six weeks from today, petitioner, above named, shall be released on anticipatory bail 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,
1st Class, Distt. Samastipur, in connection with Musrigharari P.S.
Case No. 127 of 2016, subject to the condition as laid down
under Section 438(2) of the Code of Criminal Procedure.

It is made clear that at the time of furnishing bails
bonds all the parties shall follow the guidelines regarding social
distancing.

(Anil Kumar Sinha, J)

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