

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29901 of 2020

Arising Out of PS. Case No.-60 Year-2020 Thana- MAHUA District- Vaishali

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1. SANJAY SINGH @ SANJAY KUMAR Son of Late kamal Singh Resident of Village- Chakfateh, P.S.- Mahua, District- Vaishali.
 2. Suresh Singh @ Suresh Prasad Singh Son of Late Kamal Singh Resident of Village- Chakfateh, P.S.- Mahua, District- Vaishali.
 3. Randhir Kumar Son of Sanjay Singh @ Sanjay Kumar Resident of Village- Chakfateh, P.S.- Mahua, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur Mr. Nilesh Kumar
For the Opposite Party/s	:	Mr. Md. Ataur Rahman

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 18-12-2020 Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State, through video conferencing.

This application, for grant of anticipatory bail, arises out of Mahua Police Station Case No. 60 of 2020, registered for the offence punishable under Sections 341/323/324/325/307/34 of the Indian Penal Code.

The prosecution case, as per the First Information Report, is that the petitioner no. 1 assaulted the informant by means of sword, thereafter the petitioner nos. 1 and 2 assaulted the brother-in-law of the informant and there is no specific



allegation of assault against petitioner no. 3.

Learned Counsel for the petitioners submits that both the parties are co-sharers and there is land dispute between them. He further submits that a partition suit, being title (Partition) Suit No. 581 of 2019 is pending between the parties. He further submits that there is case and counter case between the parties inasmuch as the daughter-in-law of petitioner no. 2 has lodged Mahua Police Station Case no. 62 of 2020 for the occurrence which has taken place on the same date and time. He further submits that the side of the petitioners have also received injuries, which would be evident from page 17, 18 and 19 of this application. He, referring to Annexure-4 (injury report of the informant), submits that the injuries caused to the informant have been found to be simple in nature, caused by hard and blunt substance.

After having heard learned Counsel for the parties and taking into consideration the materials on record and the fact that there is case and counter case between the parties and there is pending land dispute between them, I am inclined to grant the petitioners privilege of anticipatory bail.

This application is, accordingly, allowed.

Let the petitioners, above named, be released on bail,



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 Chief Judicial Magistrate, Vaishali, at Hajipur, in connection with Mahua Police Station Case No. 60 of 2020, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

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

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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