

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29913 of 2020

Arising Out of PS. Case No.-241 Year-2019 Thana- KHODAWANDPUR District- Begusarai

1. ANKESH KUMAR S/o Shaligram Singh R/o Vill.-Harerampur, P.S.- Khodawandpur (Chhaurahi O.P.), Distt.-Begusarai
2. Prince Kumar @ Prince Kr. Roy S/o Shaligram Singh R/o Vill.-Harerampur, P.S.-Khodawandpur (Chhaurahi O.P.), Distt.-Begusarai

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar

For the Opposite Party/s : Mr. Khursid Anwar

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.

Learned Counsel for the petitioners informs that the petitioner no. 2, Prince Kumar, has been arrested by the police during the pendency of this application and this application, so far as petitioner no. 2 is concerned, has become infructuous.

Accordingly, this application, so far as petitioner no. 2, is concerned, is dismissed as having become infructuous.

This application will now survive only for petitioner no. 1.

This application, for grant of anticipatory bail, arises



out of Khodawandpur Police Station Case No. 241 of 2019, registered for the offence punishable under Sections 341/323/307/504/506/34 of the Indian Penal Code.

So far as allegation against petitioner no. 1 is that he assaulted the informant by means of khanti on his head.

Learned Counsel for the petitioner submits that both the parties are agnates and there is pending land dispute between them inasmuch as Title (Partition) Suit No. 90 of 2019 is pending between them and there is case and counter case between them also inasmuch as petitioner no. 1 has lodged Khodawandpur Police Station Case No. 236 of 2019 against the informant and others. He, referring to the impugned order, submits that the injuries caused to the informant has been found to be simple in nature.

After having heard learned Counsel for the parties and taking into consideration the materials on record and the fact that both the parties are agnates, there is previous land dispute between them and also there is case and counter case between them, I am inclined to grant the petitioner no. 1 privilege of anticipatory bail.

This application is, accordingly, allowed.

Let the petitioner no. 1, above named, be released on



bail, in the event of his arrest or surrender before the Court below within six weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Manjhaul, Begusarai, in connection with Khodawandpur Police Station Case No. 241 of 2019, 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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