

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85821 of 2019

Arising Out of PS. Case No.-207 Year-2019 Thana- DINARA District- Rohtas

Ashok Pandey, Son of Uma Shankar Pandey, Resident of Village - Gaura,
Police Station - Dinara, District - Rohtas at Sasaram.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. N. K. Agarwal, Senior Advocate
Mr. Raghunandan Kumar Singh, Advocate
Ms. Preety Kunwar

For the Informant : Mr. Babu Nandan Prasad, Advocate

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 20-02-2020 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

Petitioner apprehends his arrest in connection with
Dinara P.S. Case No. 207 of 2019, registered for the offence
punishable under Sections 341, 323, 307, 504, 506/34 of the
Indian Penal Code.

The allegation against the petitioner is that the
petitioner assaulted the Dewar of the informant by means of
pellet causing injury near the forehead of brother-in-law of the
informant, namely, Arun Kumar Singh.

Mr. N. K. Agarwal, learned senior counsel appearing
for the petitioner submits that there is land dispute between the



parties and the present case has been lodged arising out of the land dispute between the side of the informant and the petitioner. Learned senior counsel further submits that there is case and counter case between the parties inasmuch as the side of the petitioner has lodged Dinara P.S. Case No.206 of 2019 which has been lodged prior in time to the FIR lodged by the side of the prosecution. Learned senior counsel further submits that the side of the petitioner has also received gun shot injury. Learned senior counsel referring to Annexure-3 and 4 submits that the injury caused to the victim, Arun Kumar Singh has been found to be simple in nature. Learned senior counsel referring to Annexure-4 submits that the petitioner has also received injury caused by firm arm.

On the other hand, Mr. Babu Nandan Prasad, learned counsel appearing for the informant vehemently opposes the prayer for anticipatory bail and submits that the victim has received fire arm injury and the petitioner does not deserve the privilege of anticipatory bail.

After having heard learned counsel for the parties and taking into consideration the fact that there appears to be land dispute between the parties and there is case and counter case between them and both sides have received injury and the injury



caused to the side of the informant has been found to be simple in nature, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, the petitioner, above named, is directed to surrender before the learned Court below within a period of four weeks from today and in the event of surrender by him, he shall be released on anticipatory bail by the Court below upon furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Bikramganj, Rohtas at Sasaram, in connection with Dinara P.S. Case No. 207 of 2019, subject to the condition as mentioned under Section 438 (2) of Cr.P.C.

(Anil Kumar Sinha, J)

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