

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.21810 of 2021**

Arising Out of PS. Case No.-122 Year-2020 Thana- HILSA District- Nalanda

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1. JALESHWAR PRASAD S/O LATE BHOLA PRASAD R/O DHIBRAPAR, P.S.-HILSA, DISTRICT-NALANDA.
  2. LALAN PRASAD S/O JALESHWAR PRASAD R/O DHIBRAPAR, P.S.-HILSA, DISTRICT-NALANDA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Uday Prasad

For the Opposite Party/s : Mr.Nityanand

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**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

2      21-12-2021                      It is submitted by learned counsel for the petitioner that during pendency of this application, petitioner no. 1 has been arrested and, as such, he seeks permission to withdraw this application.

In view of the aforesaid submission, this application is dismissed as withdrawn against petitioner no. 1.

Now    learned counsel for the petitioner is pressing this application only against petitioner no. 2.

Heard learned counsel for the petitioner and learned APP for the State.

Learned counsel for the petitioner is expected to honour his undertaking to remove the defects as pointed out by



the office when called upon to do so by the office.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Hilsa P.S. Case no. 122 of 2020 instituted for the offence under Sections 447, 341, 323, 504, 307, 324/34 of the Indian Penal Code and Section 27 of the Arms Act.

Prosecution story relates to abuse and assault to the informant and his family members by the petitioners and other co-accused persons.

Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have been falsely implicated in this case. There is case and counter case between the parties. Both parties have received injuries in alleged occurrence. He has got no criminal antecedent. The matter relates to land dispute.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner no. 2, namely, Lalan Prasad is directed to surrender in the Court below within a period of four weeks from today and in the event



of his arrest or surrender in connection with Hilsa P.S. Case no. 122 of 2020, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM, Hilsa (Nalanda) subject to the conditions as laid down under section 438(2) of the Cr.P.C.

**(Sunil Kumar Panwar, J)**

sushma/-

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