

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20767 of 2021

Arising Out of PS. Case No.-60 Year-2020 Thana- SIKARHATTA District- Bhojpur

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MAHENDRA SINGH SON OF LATE BACHA SINGH R/O VILLAGE-
BAGHRA TOLA, P.S.- SIKRAHATA, DISTRICT- BHOJPUR.

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Prabhat Kumar Singh

For the Opposite Party/s : Mr.A.G

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 09-12-2021 Heard the parties.

This application has been filed on behalf of the petitioner for grant of Anticipatory Bail in connection with Sikrahata P.S. Case No. 60 of 2020 registered for the offence under Section 147, 148, 149, 447, 448, 323, 307, 506, 379, 354 of the Indian Penal Code and under Section 27 of the Arms Act.

The prosecution case in short, as per the FIR is that on 03.06.2020, the informant's wife came to the joint house of the family from her new house. The Co-sharers of the informant namely Chandrama Singh and others had locked the main gate of the house and when informant's wife asked them to open the said gate they started abusing her and thereafter the accused persons came armed with various weapons and Shrinivas Singh and Santosh Singh assaulted the informant's wife with *iron rod*



and *lathi*. Mahendra Singh also assaulted the informant's wife on her stomach with an intention to cause miscarriage. Lal Babu Singh and Sanjay Singh @ Nikki had fired which did not hit anybody. Chandrama Singh took away the golden chain of the informant's wife and Aache Kumar took her earrings. The informant's wife was admitted to the Government Hospital at Piro from where she was referred to Sadar Hospital, Ara for better treatment.

It has been submitted by the learned counsel for the petitioner that because of land dispute the petitioner and others have been falsely implicated and no such occurrence had taken place as alleged. A title suit is also pending between the parties and to pressurize the petitioner and others, the prosecution side had lodged this false and fabricated case.

The Doctors of the Government Hospital had adviced for the X-ray and USG to the informant's wife but the same has not been shown to the doctors and therefore the final injury report has not been given.

Learned A.P.P. has vehemently opposed the prayer for bail.

It appears that the informant is trying to falsely implicate the petitioner because of the admitted land dispute.



Considering the aforesaid facts and also considering the land dispute between the parties, this application for anticipatory bail is allowed.

Let the petitioner, above named, in the event of his arrest/surrender within four weeks from date of communication of this order, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM-VIII, Bhojpur at Ara in connection with Sikrahata P.S. Case No. 60 of 2020.

(Sandeep Kumar, J)

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