

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40449 of 2020

Arising Out of PS. Case No.-85 Year-2020 Thana- CHIRAIYA District- East Champaran

1. Mahesh Das, aged about 50 years, Male, son of late Janak Das.
 2. Bhola Kumar @ Bhola Das, aged about 25 years, Male, S/o Mahesh Das.
 3. Prince Kumar, aged about 22 years, Male, son of Mahesh Das.
 4. Raj Kumar @ Raju Das, aged about 20 years, Male, S/o Mahesh Das.
 5. Sunil Das, aged about 26 years, Male, son of Natuni Das.
- All are resident of village - Shikarganj, P.S.- Shikarganj, Distt- East Champaran.

... .. Petitioners

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prateek Tandon, Advocate
For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 28-10-2021 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Chiraiya (Shikarganj) P.S. Case No. 85 of 2020 for the offence punishable under Sections 147, 148, 149, 341, 447, 323, 307, 379, 504 and 506 of the Indian Penal Code.

Vide order dated 23.07.2021 the bail petition filed on behalf of petitioner no.4 namely, Raj Kumar @ Raju Das has been dismissed as withdrawn due to his arrest.

Learned counsel for the petitioners seeks permission to withdraw this bail petition on behalf of petitioner no.1 namely, Mahesh Das.



Permission, as prayed for, is granted. Accordingly, this bail petition is dismissed as against petitioner no.1.

So far as the bail of petitioner nos. 2, 3 and 5 are concerned, considering the fact that the occurrence took place on account of land dispute, there is case and counter case from both the sides and the injury sustained by the injured persons are simple in nature, inasmuch as, allegation against petitioner no.3 is unbelievable, this Court is inclined to grant anticipatory bail to these petitioner.

Let the petitioner nos. 2, 3 and 5, above named, in the event of their arrest/surrender within four weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, East Champaran, in connection with Chiraiya (Shikarganj) P.S. Case No.85 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Accordingly, this bail petition is allowed.

(Sandeep Kumar, J)

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