

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21381 of 2022

Arising Out of PS. Case No.-562 Year-2021 Thana- CHANPATIA District- West Champaran

1. HIMANCHAL SHUKLA SON OF LATE VISHNU SHUKLA
 2. SANJAY SHUKLA SON OF HIMANCHAL SHUKLA
 3. PINTU SHUKLA SON OF HIMANCHAL SHUKLA
 4. RAJU SHUKLA SON OF HIMANCHAL SHUKLA
- Petitioner/s
- Versus
- The State of Bihar
- Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sachida Nand Rai, Advocate
For the Opposite Party/s : Mr. Satyendra Narayan Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 01-11-2022 Learned counsel for the petitioners at the outset seeks permission to withdraw the prayer for anticipatory bail with respect to petitioner nos. 1, 2 and 3.

Permission is accorded.

Heard learned counsel for the petitioner no. 4, learned counsel for the informant and learned A.P.P. for the State.

Let the defect(s), if any, be removed within a period of four weeks.

The petitioner no. 4 apprehends his arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 307, 379, 385, 504 and 506 of the Indian Penal Code and Section 27 of the Arms Act.



Learned counsel for the petitioner no. 4 submits that petitioner no. 4 is a person with clean antecedent.

The informant alleges that the accused persons including the petitioner no. 4 intercepted him and his nephew and on order of Himachal Shukla all the accused assaulted him by farsa, knife and sharp edged weapon causing injury on his back, thigh and palm. Further, Mansoor Mian assaulted the informant causing fracture of leg and took out Rs.5,000/- along with a golden chain. It is further alleged that Adyawat Tiwary caught his nephew and Vindhyachal Tiwary threatened to pay Rs.2,00,000/- as extortion. Further, Akshay Shukla and Laddu Thakur stabbed his nephew causing injury on stomach and Vindhyachal Tiwary took out his mobile and on alarm accused persons fled away.

Learned counsel for the petitioner no. 4 submits that petitioner no. 4 has been falsely implicated in the present case merely because he is son of Himachal Shukla. It is further submitted that from perusal of the allegation as alleged in the FIR, it would manifest that no specific allegation of assault has been alleged against the petitioner no. 4. It is next submitted that co-accused Kundan Kumar Verma @ Kundan Kumar has been granted anticipatory bail by this Court vide order dated



01.11.2022 passed in Cr. Misc. No. 20065 of 2022.

Learned A.P.P. for the State and learned counsel for the informant opposed the prayer for anticipatory bail of the petitioner no. 4 but are not able to meet the submission of the learned counsel for the petitioner no. 4 that there is no specific allegation of assault against the petitioner no. 4 and there is admitted land dispute between the parties.

Considering the submissions made by the learned counsel for the petitioner no. 4, the petitioner no. 4 above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Chanpatia P.S. Case No. 562 of 2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Kundan/-

U		T	
---	--	---	--

