

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1462 of 2022

Arising Out of PS. Case No.-126 Year-2021 Thana- BAHERI District- Darbhanga

1. SUNIL KUMAR @ SUNIL KUMAR SINGH S/o Ugresh Prasad Singh @ Ugresh Pd. Singh R/o village- Para, P.S.- Baheri, District- Darbhanga
2. RAJIV KUMAR SINGH @ RAJIV KUMAR @ RAJEEV KUMAR S/o Ugresh Prasad Singh @ Ugresh Pd. Singh R/o village- Para, P.S.- Baheri, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinay Kumar Mishra
For the Opposite Party/s : Mr.Murli Dhar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 24-08-2022 After some arguments, learned counsel for the petitioners seeks permission to withdraw this application regarding petitioner no. 1.

Permission is accorded.

This application is dismissed as withdrawn against petitioner no. 1.

So far petitioner no. 2 is concerned the instant application for anticipatory bail has been filed by him apprehending his arrest in connection with Baheri P.S. Case no. 126 of 2021 instituted for the offence under Sections 147, 148, 341, 323, 448, 504, 506 and 354(A), 308 and 379 of the Indian Penal Code.



As per allegation in the FIR, while the informant was cleaning dung from his land, several accused persons including the petitioner came there with a view to put pressure and grab his land. On protest, Sunil Kumar Singh assaulted him by Farsa on his head. When his family members came there to rescue him, they were also beaten up by them.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. Specific and direct allegation of assault is against Sunil Kumar Singh and not against the petitioner rather against him there is general and omnibus allegation. He has got no criminal antecedent. Old land dispute is going on between the parties. There is case and counter case.

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 no. 2 on bail. The petitioner no. 2 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 Baheri P.S. Case no. 126 of 2021, 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-VII Darbhanga subject to the conditions as laid down under section 438(2) of the Cr.P.C.

sushma/-

(Sunil Kumar Panwar, J)

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