

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16174 of 2023

Arising Out of PS. Case No.-334 Year-2022 Thana- SAHEBPUR KAMAL District-
Begusarai

-
1. WAKIL THAKUR, S/O- LATE RAM SWARUP THAKUR Resident of Village- Ward No-9, Panchveer PS- S. Kamal Dist- Begusarai
 2. Munna Thakur son of Wakil Thakur Resident of Village- Ward No-9, Panchveer PS- S. Kamal Dist- Begusarai
 3. Sanjeev Kumar Son of Wakil Thakur Resident of Village- Ward No-9, Panchveer PS- S. Kamal Dist- Begusarai
 4. Sudha Devi W/o- Wakil Thakur Resident of Village- Ward No-9, Panchveer PS- S. Kamal Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Randhir Kumar No.1, Advocate

For the Opposite Party/s : Ms.Madhuri Lata, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 19-05-2023 Heard the learned counsel for the petitioners and
the learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Sahebpur Kamal PS case no. 334 of 2022, registered for the offences punishable under Sections 354(B) and other allied sections of the Indian Penal Code.

The allegation is regarding the accused persons having arrived at the land of the informant, where the informant and others were constructing boundary wall and thereafter, they had started assaulting the informant and his family members.



The learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in the present case. The learned counsel for the petitioners has further submitted that the petitioners are accused in one another case but the police, after investigation, has submitted final form. It is next submitted that as far as petitioners no. 1, 2 and 4 are concerned, a general and omnibus allegation has been levelled and as far as petitioner no. 3 is concerned, he is stated to have assaulted the brother of the informant, however the injury on his person, upon examination by the doctor, has been found to be simple in nature. Lastly, it is submitted that the incident in question has arisen on account of land dispute.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that there is no allegation of any sort of over act having been engaged in by the petitioners no. 1, 2 and 4 apart from the fact that the injury sustained by the brother of the informant, attributable to the petitioner no. 3, has been found to be simple in nature, I deem it fit and appropriate



to admit the petitioners to the privilege of anticipatory bail.

Accordingly, the abovenamed petitioners, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/ production of a copy of this order, are directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) each with two sureties of the like amount each to the satisfaction of A.C.J.M.-IV, Begusarai in connection with Sahebpur Kamal PS case no. 334 of 2022, subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

rinkee/-

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

