

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28994 of 2023**

Arising Out of PS. Case No.-136 Year-2021 Thana- KUNDWACHAINPUR District- East
Champaran

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Sheikh Munna Son Of Late Mubarak Husain Resident Of Village - Hasanpur,
P.S. - Kundwa Chainpur, Distt. - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Suresh Prasad Bhakta, Advocate

For the Opposite Party/s : Mr. Satyendra Prasad, APP

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**CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER**

3 17-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Kundwa Chainpur P.S. Case No. 136 of 2021 instituted
under Sections 341, 323, 325, 327, 379, 448, 354, 504, 506/34
of the Indian Penal Code..

3. As per the prosecution case, it is alleged that due to
a land dispute between the parties, the petitioner along with
other co-accused entered the house of the informant with a
Barchi (spear) and water pump handle assaulted the informant



and his wife, causing injuries to them.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged. The petitioner has falsely been implicated in this case by the informant due to enmity on account of land dispute. The injury caused to the informant is simple in nature. He further submits that similarly situated co-accused persons vide order dated 01.12.2022 have been granted anticipatory bail in Cr. Misc. No. 37937 of 2022. He also submits that although there is five criminal antecedents but all the the cases have been lodged by the informant with ulterior motive.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount to each to the satisfaction of the learned A.C.J.M. Sikrahana at Dhaka, District- East Champaran in connection with Kundwa Chainpur P.S. Case No. 136 of 2021, subject to the conditions laid down in Section 438(2) of the



Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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