

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20631 of 2023

Arising Out of PS. Case No.-126 Year-2022 Thana- KIUL District- Lakhisarai

1. SOPENDRA YADAV Son of Chamru Yadav @ Chmru Yadav Resident of village-Sringarpur Bichchwey, P.S.-Kiul, District-Lakhisarai
2. AJIT KUMAR Son of Sopendra Yadav Resident of village-Sringarpur Bichchwey, P.S.-Kiul, District-Lakhisarai
3. SUJIT KUMAR Son of Sopendra Yadav Resident of village-Sringarpur Bichchwey, P.S.-Kiul, District-Lakhisarai
4. KARTIK KUMAR Son of Sopendra Yadav Resident of village-Sringarpur Bichchwey, P.S.-Kiul, District-Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 21176 of 2023

Arising Out of PS. Case No.-126 Year-2022 Thana- KIUL District- Lakhisarai

SANNI KUMAR SON OF SOPENDRA YADAV RESIDENT OF VILLAGE
- SRINGARPUR, P.S. -KIUL, DISTT. - LAKHISARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 20631 of 2023)

For the Petitioner/s : Mr. Rajive Ranjan Singh, Advocate.

For the Opposite Party/s : Mr. Raj Kishor Singh, A.P.P.

For the Informant : Mr. Bijay Kumar Pandey, Advocate

Mr. Mukesh Kumar, Advocate.

(In CRIMINAL MISCELLANEOUS No. 21176 of 2023)

For the Petitioner/s : Mr. Rajive Ranjan Singh, Advocate.

For the Opposite Party/s : Mr. Raj Kishor Singh, A.P.P.

For the Informant : Mr. Bijay Kumar Pandey, Advocate

Mr. Mukesh Kumar, Advocate.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

2 24-06-2023

Heard Mr. Rajive Ranjan Singh, learned counsel

for the petitioners, Mr. Bijay Kumar Pandey, learned



counsel for the informant and Mr. Raj Kishor Singh, learned Additional Public Prosecutor appearing for the State.

Petitioners apprehend their arrest in connection with Kiul P.S. Case No. 126 of 2022 dated 8.9.2022 registered for the offence punishable under Sections 147, 149, 341, 323, 324, 308, 354, 504 and 379 of the Indian Penal Code.

As per the First Information Report when the informant saw that the petitioners along with others were constructing pillar on the land of the informant, he protested, upon which accused persons assaulted the informant, his son and one Sekho Devi, due to which, they sustained injuries on their head and other part of the body.

Learned counsel for the petitioners submits that both the parties are co-villagers and there is land dispute between them. The petitioners were erecting pillar on their own land but informant was mistaken that the petitioners were erecting pillar on his land and due to which the scuffle took place between the parties. The injury caused to the informant and his family members are simple in nature as would be evident from Annexure-2. Learned counsel further



submits that charge sheet has been submitted under Sections 147, 149, 341, 323, 354 and 504 of the Indian Penal Code on which cognizance has been taken by the learned Chief Judicial Magistrate, Lakhisarai, vide its order dated 22.02.2023.

On the other hand, learned counsel for the informant vehemently opposed the prayer for anticipatory bail and submits that there is specific allegation of assault against the petitioners who assaulted the informant and his other family members. Injuries have also been sustained by the petitioners and his family members.

Having heard learned counsel for the parties and taking into consideration the fact that both the parties are co-villagers, there is land dispute between them, the injuries caused to the informant and his family members are simple in nature, I am inclined to grant anticipatory bail to the petitioners.

Accordingly, in the event of arrest or surrender before the court below within six weeks from today, petitioners, above named, shall be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (ten thousand)



each with two sureties of the like amount each to the satisfaction of learned 2nd Additional Chief Judicial Magistrate, Lakhisarai, Distt. Lakhisarai, in connection with Kiul P.S. Case No. 126 of 2022, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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