

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24512 of 2023

Arising Out of PS. Case No.-532 Year-2022 Thana- JAGDISHPUR District- Bhojpur

SHIV SAMBHU SINGH @ SHIV SAMBHU Son of Shri Krishna Bihari
Singh @ Nanuk Resident of village - Kaura, P.S.- Jagdishpur, District -
Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Shiv Prasad Gupta Mr. Abhishek Kumar Mr. Onkar
For the Opposite Party/s	:	Mr. Ashutosh Kumar
For the State	:	Mr. Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 07-07-2023 Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail,
arises out of Jagdishpur Police Station Case No. 532 of 2022,
dated 27.10.2022, disclosing offences under Sections
341/323/307/34 of the Indian Penal Code.

The prosecution case, on the basis of the First
Information Report, is that partition of the ancestral property
had taken place in 2014 and when the informant along with his
family members visited his ancestral home for the purpose of
erecting boundary, the petitioner, Shiv Sambhu, along with one
Manish Kumar fired upon the informant and his family



members and subsequently on the instigation of Devanti Devi, mother of the petitioner, other accused persons assaulted the informant and his family members by means of lathi, danda etc. due to which they sustained injury.

Learned Counsel for the petitioner submits that both the parties are agnate and there is a land dispute between them. He further submits that firing allegedly made by the petitioner did not hit the informant and/or his family members and the injury caused to the informant and his family members due to assault made by other co-accused persons are simple in nature, which would be evident from Annexure-2. He next submits that the petitioner has no criminal antecedent.

Having regard to the submissions made on behalf of the parties and taking into consideration the fact that nobody sustained injury due to firing made by the petitioner and the injury sustained by the victims, due to assault made by the other co-accused persons are simple in nature, both the parties are agnate and there is a land dispute between them, accordingly, I am inclined to grant the petitioner privilege of anticipatory bail.

This application is, accordingly, allowed.

Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be



released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Bhojpur at Ara, in connection with Jagdishpur Police Station Case No. 532 of 2022, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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