

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24051 of 2023

Arising Out of PS. Case No.-106 Year-2022 Thana- MATIHANI District- Begusarai

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RAUSHAN KUMAR S/O AWADH SINGH Resident of village- Sihma, P.S.-
Matihani District- Begusarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shubhesh Pandey

For the Opposite Party/s : Mr.Prem Kumar Jha

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 07-07-2023 Heard the parties.

The petitioner apprehends his arrest in connection with Matihani PS Case No. 106 of 2022 dated 13.08.2022 registered under Section 323, 307, 341, 34 of the IPC.

As per the prosecution case the allegation against the petitioner is that he along with other co-accused persons, total 04 in number, assaulted the informant by lathi, sticks etc. on his head, due to which he sustained injury.

Learned counsel for the petitioner submits that petitioner is the nephew of the informant and there is previous land dispute between the parties. He further submits that there is case and counter case inasmuch as another FIR bearing Matihani PS Case No. 107 / 2022 has been lodged by the side of the petitioner against the informant and his family members.



Referring to Annexure 2 to this bail application, learned counsel submits that injury caused to the informant is simple in nature.

Regard being had to the submission made by the parties, taking into consideration the fact that both the parties are closely related, there is land dispute between them and the injury caused to the informant is simple in nature, I am inclined to grant anticipatory bail to the petitioner.

Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of J.M. 1st Class, Begusarai / concerned court in connection with Matihani PS Case No. 106 of 2022 subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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