

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.26779 of 2023

Arising Out of PS. Case No.-196 Year-2022 Thana- BASOPATTI District- Madhubani

1. DHIRAJ KUMAR SAH @ MRITUNJAY KUMAR SAH Son of Satrugan Sah @ Shatrudhan Pd. Sah Resident of village - Basopatti, P.S.- Basopatti, District - Madhubani.
2. Anita Devi Wife of Satrugan Sah @ Shatrudhan Prasad Sah Resident of village - Basopatti, P.S.- Basopatti, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kanchan Jha

For the Opposite Party/s : Mr. Navin Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

2 12-07-2023 Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Basopatti Police Station Case No. 196 of 2022, dated 27.09.2022 disclosing offences under Sections 323/341/354(B)/379/307/504/506/34 of the Indian Penal Code.

The prosecution case, on the basis of the First Information Report, is that on 27.09.2022, the petitioners, along with co-accused Satrudhan Sah, allegedly assaulted the informant by means of iron rod, khanti, etc., in the meanwhile, co-accused Satrudhan Sah ordered his son, namely, Dhiraj



Kumar Sah i.e. petitioner no. 1 to kill the informant, upon which he assaulted the informant by means of farsa.

Learned Counsel for the petitioners submits that both the parties are co-sharer and there is a land dispute between them, which would be evident from the First Information Report itself. He next submits that injury caused to the informant is simple in nature as would be evident from Annexure-2 and there is no specific allegation against the petitioner no. 2, who is mother of the petitioner no. 1.

Regards being had to the submissions made on behalf of the parties and taking into consideration the fact that both the parties are co-sharer, there is a land dispute between them and injury caused to the informant is simple in nature, accordingly, I am inclined to grant the petitioner privilege of anticipatory bail.

This application is, accordingly, allowed.

Let the petitioners, above named, in the event of their 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, Madhubani, in connection with Basopatti Police



Station Case No. 196 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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