

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29553 of 2023

Arising Out of PS. Case No.-217 Year-2022 Thana- DURAULI District- Siwan

Chandrama Gupta @ Chandrama Sah Son Of Gaya Sah R/O Village-
Dohkhurd, P.S.- Darauli, District- Siwan

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh, Adv.

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

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 14-07-2023 Heard learned counsel for the petitioner and the
learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Darauli PS Case No. 217 of 2022 registered for the offence punishable under Sections 147,341, 447, 323,325, 307, 504,506 and 302 of the Indian Penal Code.

3. As per allegation in the FIR, the informant asked his elder brother along with his sons to come for resolving the subsisting property dispute, whereafter, it is alleged that they have assaulted the informant and his family members by various means.

4. It is submitted by the petitioner's counsel that over trivial dispute arising in the course of reconciliation, the



occurrence has taken place, wherein, no injuries attributed against the petitioner. Against the petitioner, there is an allegation of dragging the informant's wife by hair and pushing her on floor. Only to implicate all the family members petitioner has also been assigned some role in the FIR which is false. Specific allegation is against co-accused namely, Rohit Sah of stabbing the informant in the stomach and against co-accused, namely, Raj Kumar Sah by means of '*lathi*'. The petitioner has no antecedent.

5. Learned APP for the State has opposed the prayer for bail.

6. Considering the rival submissions, nature of allegations, keeping in background the subsisting land dispute, the parties being family members, this Court, for the limited purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for anticipatory bail is allowed.

7. Accordingly, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from today, 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 the learned



S.D.J.M., Siwan, in connection with Darauli P S Case No. 217
of 2022, subject to the conditions as laid down in Section 438(2)
of the Code of Criminal Procedure with following conditions:

(i) That one of the bailors
will be a close relative of the petitioner
who will give an affidavit giving
genealogy as to how he is related with
the petitioner. The bailor will also
undertake to inform the court if there is
any change in the address of the
petitioner.

(ii) That the petitioner will
be well represented on each date and if
he fails to do so on two consecutive
dates, his bail bond will be liable to be
cancelled.

(Madhuresh Prasad, J)

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