

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31145 of 2023

Arising Out of PS. Case No.-411 Year-2022 Thana- BALIYA District- Begusarai

CHANDRA PARTAP SINGH S/O LATE RAJESH KUMAR SINGH R/O
Village- Sadanandpur, P.S- Ballia, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pritish Kumar Lal, Advocate

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

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

- 2 14-07-2023 1. Heard the learned counsel for the petitioner and the learned A.P.P. for the State.
2. This is an application for grant of anticipatory bail in connection with Ballia PS case no. 411 of 2022, registered for the offences punishable under Section 384 and other allied sections of the Indian Penal Code.
3. The allegation is regarding the informant along with his nephew, other family members and labourers being engaged in irrigating his field on the alleged date and time of occurrence, when the accused persons including the petitioner herein, variously armed, had arrived there and had abused and assaulted the informant and others. As far as the petitioner is concerned, he is stated to have inflicted a hockey stick blow upon the informant.



4. The learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the present case. The petitioner is stated to be accused in one another case but he is on bail in the said case. The learned counsel for the petitioner has further submitted that the doctor has found the injuries sustained by the informant to be simple in nature and a general and omnibus allegation has been levelled against the petitioner, however, the fact is that the present incident has arisen out of land dispute.

5. *Per contra*, the learned APP for the State has vehemently opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that the petitioner has been alleged to have inflicted hockey blow upon the informant but the injury sustained by him has been found to be simple in nature, apart from the fact that the present case has arisen out of land dispute, I deem it fit and appropriate to admit the petitioner to the privilege of anticipatory bail.

7. Accordingly, the abovenamed petitioner, in the event of his arrest or surrender before the court below within a



period of six weeks from the date of receipt/ production of a copy of this order, is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned court of Chief Judicial Magistrate, Begusarai in connection with Ballia PS case no. 411 of 2022, subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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