

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35396 of 2023

Arising Out of PS. Case No.-51 Year-2022 Thana- AMNAUR District- Saran

PANKAJ BHAGAT Son of Jagdish Bhagat Resident of Village- Firozpur,
Police Station- Amanor, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rabindra Prasad Singh

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 21-07-2023 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Amnaur Police Station Case No. 51 of 2022, dated 21.02.2022, disclosing offences punishable under Sections 147/149/323/324/307/354/379/504/506/447/34 of the Indian Penal Code.
3. The prosecution case, as per the First Information Report, is that the accused persons were fishing from a pond situated in the land of the informant and upon objection being made by the informant, co-accused Ram Kumar Bhagat assaulted him by means of iron-rod and when the mother of the informant intervened, the petitioner, along with other accused persons, assaulted her by means of



lathi near her left leg. The accused persons also took away Rs. 1,00,000/- from the box and abused the informant and his family members.

4. Learned Counsel for the petitioner submits that there is apparent land dispute between the parties and the petitioner is the neighbour of the informant. He further submits that the allegation of assault upon the informant is against co-accused Ram Kumar Bhagat and the only allegation against the petitioner is that he, along with other accused persons, assaulted the mother of the informant by means of lathi on her leg. He further submits that no apparent injury has been caused to the mother of the informant and the injury sustained by the informant is simple in nature, which would be evident from the impugned order itself.
5. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the nature of allegation and the fact that the petitioner is the neighbour of the informant, there is land dispute between the parties, no apparent injury has been sustained by the mother of the informant and the informant has sustained simple injury, I am inclined to grant the petitioner privilege of



anticipatory bail.

- 6. This application is, accordingly, allowed.
- 7. 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 learned 9th Additional Chief Judicial Magistrate, Saran, at Chapra, in connection with K. Hat (Sahayak) Police Station Case No. 51 of 2022, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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