

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.36464 of 2023**

Arising Out of PS. Case No.-23 Year-2022 Thana- PATAHI District- East Champaran

1. Lalan Singh @ Lalan Kumar Singh Son of Ram Bharosh Singh Resident of Village- Dumari Govind, Ps- Patahi, Distt- East Champaran
2. Vijay Kumar Singh @ Vijay Kumar Son of Lal Babu Singh Resident of Village- Dumari Govind, Ps- Patahi, Distt- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Rajeev Ranjan, Advocate

For the Opposite Party/s : Mr. Umeshanand Pandit, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

2      31-07-2023                      At the outset, learned counsel for the petitioners seeks permission to withdraw the anticipatory bail application with respect to petitioner No. 1.

2. Permission is granted.

3. The anticipatory bail application with respect to petitioner No. 1, namely, Lalan Singh @ Lalan Kumar Singh is dismissed as withdrawn.

4. Heard learned counsel for the parties.

5. Petitioner No. 2 apprehends arrest in a case registered for the offences punishable under Sections 341, 323, 325, 307, 504, 506/34 of the Indian Penal Code.

6. It is alleged that this petitioner, along with other



F.I.R. named accused persons, assaulted the informant by means of fists and slaps.

7. It is submitted that allegation against the petitioner is general and omnibus and there is no allegation of specific overt act against him. There is land dispute between the parties. Case and counter case. Moreover, there is inordinate delay of 8 days in lodging the F.I.R. which itself creates doubt about the prosecution case. Petitioner has got clean antecedent.

8. Considering the facts and circumstances of the case, this anticipatory bail is allowed and it is ordered that let the above named petitioner No. 2 in the event of his arrest/surrender before the court below within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 1<sup>st</sup> Class, East Chmaparan, Motihari in connection with Patahi P. S. Case No. 23 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Prabhat Kumar Singh, J)**

Navya/-

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