

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38772 of 2023

Arising Out of PS. Case No.-25 Year-2023 Thana- NOWKOTHI GARHPURA District-
Begusarai

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1. MANGLI DEVI Wife of Late Chandrabhushan Mahto Resident of Village and Post- Samsa, PS- Naokothi, District- Begusarai
 2. Jitesh Kumar Son of Late Chandrabhushan Mahto Resident of Village and Post- Samsa, PS- Naokothi, District- Begusarai
 3. Mithlesh Kumar son of Late Chandrabhushan Mahto Resident of Village and Post- Samsa, PS- Naokothi, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Anshu Dhar Sharma, Adv.
For the Opposite Party/s	:	Mr. Pawan Kumar Chaurasia, APP
For the informant	:	Mr. Chandan Kumar Kashyap, Adv.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 28-07-2023 Heard Mr. Anshu Dhar Sharma, learned counsel for the petitioners, Mr. Pawan Kumar Chaurasia, learned Additional Public Prosecutor for the State and Mr. Chandan Kumar Kashyap, learned counsel appearing for the informant.

2. Petitioners apprehend their arrest in connection with Naokothi PS Case No. 25/2023 dated 13.03.2023 registered for the offence punishable under Sections 341, 323, 307, 379, 324, 504/34 of the IPC

3. As per FIR, petitioners assaulted the informant and her family members by means of spade and pistol butt.

4. Learned counsel for the petitioners submits that both the parties are agnates and there is land dispute between



them. A counter case has also been lodged by the side of petitioners *vide* Naokothi PS Case No. 27/2023 (Anneuxre-2). Learned counsel further submits that the injury caused to the informant and her family members is simple in nature as would be evident from Annexure-3.

5. Learned counsel for the informant vehemently opposed the prayer for anticipatory bail and submitted that there is a specific allegation against petitioner no.1 that she assaulted the informant by means of spade due to which she sustained injury near her eyes. Petitioner no.1 has also got a criminal antecedent inasmuch as a complaint case is pending against her.

6. Regards being had to the submissions made by the parties, taking into consideration the fact that both the parties are agnates, there is land dispute between them, a counter version has also been lodged by the side of the petitioner and the injury caused to the informant and others are simple in nature, I am inclined to grant anticipatory bail to the petitioners.

7. Accordingly, let the petitioners, named above, in the event of arrest or surrender within four weeks from today, be released on anticipatory bail, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial



Magistrate, Begusarai in connection with Naokothi PS Case
No. 25/2023, subject to the condition as laid down under
Section 438(2) CrPC.

(Anil Kumar Sinha, J)

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