

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48932 of 2023

Arising Out of PS. Case No.-276 Year-2022 Thana- MOHAMMADPUR District- Gopalganj

1. Vikrama Das Son of Shiv Das, Resident of Village - Dumariya, P.S. - Mohammadpur, Distt. - Gopalganj.
2. Luv Kumar Das Son of Kapil Das, Resident of Village - Dumariya, P.S. - Mohammadpur, Distt. - Gopalganj.
3. Nitish Kumar Son of Kapil Das, Resident of Village - Dumariya, P.S. - Mohammadpur, Distt. - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anand Vardhan, Adv.

For the Opposite Party/s : Mr. Anita Kumari, Ajay Kumar No.2, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 11-08-2023 Heard learned Counsel for the petitioners and learned
APP for the State.

2. The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 341, 323, 324, 325, 307, 504, 506/34 of the Indian Penal Code.

3. As per prosecution case, the F.I.R. has been lodged against nine named accused persons including the present petitioners. It has been specifically alleged that all the nine accused persons have reached at the house of informant and attacked by lathi and farsa in result head injury caused to the son of informant. The allegation against them that three accused



persons namely Kapil Das, Luv Kumar Das (petitioner no.2) and Nitish Kumar (petitioner no.3) all attacked by farsa on the informant's son. Allegation on the petitioner no.1 is also to assault by Farsa.

4. Learned counsel for the petitioners that the informant's side and petitioners' side both are relatives and they are resident of same village and well known to each other. He further submits that from the same date and place of occurrence, two F.I.Rs. were filed and injury caused to both the sides about which there is a categorical indication in the F.I.R. filed by the petitioners' side. He also submits that the dispute took place between the parties are only due to long pending land dispute which is pending since last 30 years. He further submits that antecedent of petitioners are clean.

5. Learned A.P.P. for the State opposes the prayer for bail and submits that it transpires that the petitioners are not criminal, only due to long pending land dispute, this occurrence has took place.

5. In the present facts and circumstances, let the above named petitioners be released on anticipatory bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail



bonds of Rs.30,000/- (Rupees Thirty Thousand) to the satisfaction of the learned A.C.J.M., VII, Gopalganj, in connection with Mohammadpur P.S. Case No.276 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dr. Anshuman, J.)

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