

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48127 of 2023

Arising Out of PS. Case No.-163 Year-2023 Thana- SARAI RANJAN District- Samastipur

1. LALIT DAS @ LALIT KUMAR DAS Son of Shivchandra Das Resident of Village-Kishanpur Yusuf, Ward No. 16, P.S.-Sarairanjan, District-Samastipur
2. RANJEET DAS Son of Shivji Das Resident of Village-Kishanpur Yusuf, Ward No. 16, P.S.-Sarairanjan, District-Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ghanshyam Choudhary

For the Opposite Party/s : Mr.Rajiv Nayan

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 23-08-2023 1. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Sarairanjan Police Station Case No. 163 of 2023, dated 24.05.2023, disclosing offences punishable under Sections 341/323/307/427/379/504/506/34 of the Indian Penal Code.
3. The prosecution case, as per the First Information Report, is that the petitioner no 2 assaulted the informant by means of pagaria (sharp-edged weapon) on his head, causing injury and the petitioner no. 1 assaulted the informant by means of danda on his back, thigh and



shoulder.

4. Learned Counsel for the petitioners submits that the petitioners have falsely been implicated in this case due to land dispute between the parties. Referring to paragraph 8 of this application, he submits that the informant has not sustained any injury and the learned Sessions Judge, Samastipur, while rejecting the bail applications of the petitioners has also not discussed the injuries caused to the informant. He further submits that the petitioners have got no criminal antecedent and both, the petitioners and the informant, are co-villagers.
5. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that no serious injury has been caused to the informant, as per the statement made by the petitioners, the petitioners are having no criminal antecedent, both the parties are co-villagers, there is land dispute between them and the prosecution has not produced any material regarding the injuries caused to the informant, I am inclined to grant the petitioner privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. Let the petitioners, above named, in the event of their



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) each with two sureties of the like amount each to the satisfaction of learned 3rd Additional Chief Judicial Magistrate, Samastipur, in connection with Sarairanjan Police Station Case No. 163 of 2023, 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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