

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62603 of 2023

Arising Out of PS. Case No.-71 Year-2023 Thana- ADAPUR District- East Champaran

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1. SUMAN THAKUR SON OF RAM AKBAL THAKUR R/O-
KACHURBARI, P.S.-HARPUR, DISTT.-EAST CHAMPARAN
 2. ANAND THAKUR SON OF RAM AKBAL THAKUR R/O-
KACHURBARI, P.S.-HARPUR, DISTT.-EAST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vikalp

For the Opposite Party/s : Mr. Rajiv Nayan

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 17-10-2023 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 Adapur Police Station Case No. 71 of 2023,
disclosing offences under Sections 341, 323, 324, 307, 379, 504,
506 and 34 of the Indian Penal Code.

3. As per the First Information Report, the petitioner
No. 1 has inflicted Bhala blow on the informant causing injury
near his nose and petitioner No. 2 assaulted the brother of the
informant by means of Farsa namely Nand Kishore on his neck
due to which they sustained injury.

4. Learned Counsel for the petitioner submits that



both the parties are co-villager and there is land dispute between them and there is a counter case also lodged by the wife of petitioner no. 1 bearing Adapur P.S. Case No. 73 of 2023 for an occurrence which has taken place on the same date and time. Learned counsel further submits that injury caused to the informant and his brother is simple in nature.

5. On the other hand, the learned counsel for the informant vehemently opposes the prayer for anticipatory bail and submits that though the Sadar Hospital has opined the nature of injury as simple, but the Primary Health Centre had initially opined the nature of injury as grievous.

6. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that both the parties are co-villagers, there is a land dispute between them, case and counter case is also there and the injury caused to the informant and his brother is simple in nature, I am inclined to grant the petitioners privilege of anticipatory bail.

7. This application is, accordingly, allowed.

8. Let the petitioners, Suman Thakur and Anand Thakur, in the event of their arrest or surrender before the Court below within four weeks, 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 Sri A.K. Mani, Judicial Magistrate, 1st Class, Raxul at Motihari in connection with Adapur Police Station Case No. 71 of 2023 subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

HarshPandey/-

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