

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51451 of 2022

Arising Out of PS. Case No.-80 Year-2022 Thana- MINAPUR District- Muzaffarpur

1. DIWAKAR KUMAR SINGH S/O RISHIKESH PRASAD SINGH Resident of village- Bada Hasan, P.S.- Minapur (Panapur O.P.), Bihar- 843109
2. SUDHAKAR KUMAR S/O RISHIKESH PRASAD SINGH Resident of village- Bada Hasan, P.S.- Minapur (Panapur O.P.), Bihar- 843109

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajkumar Rajesh, Advocate
For the Opposite Party/s	:	Mr. Madhura Nand Jha, APP
For the Informant	:	Mr. Mayanak Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 12-01-2023 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in connection with Minapur P.S. Case No. 80 of 2022 for the offence registered under Sections 341, 323, 324, 325, 307, 379, 385, 420, 504 and 506/34 of the Indian Penal Code and Section 27 of the Arms Act.

As per the prosecution story, the informant alleged that when he was sitting at his door, the accused persons armed variously came and after alleging that they had obtained a document after administering sedative substance to his son, allegation is of assaulting the informant causing injury/fracture



to Braj Kishore Singh. The further allegation is of demand of extortion. Accordingly, the FIR was lodged.

Learned counsel for the petitioners submit that due to land dispute, the matter has been exaggerated and accordingly, role has been assigned to the accused persons, the petitioners being amongst them. He further submits that the injuries, save and except, the injury no. 2 in the left hand, have been found to be simple in nature. It is his further submission that irrespective of the outcome of the present petition, in view of the fact that the informant's side has alleged injuries, he on its own would like to contribute Rs. 15,000/- as Medical Assistance. The last submissions is that he will be cooperating in the investigation and will be diligent in appearing in the trial.

Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail.

Be that as it may, there is a land dispute resulting into the present case, save and except the injury no. 2 in the left hand, the others have been found as simple in nature, petitioner will be cooperating in the investigation and will be available to the police as and when required, this Court is inclined to grant him relief subject to payment of Rs. 15,000/- as stated above.

Let the petitioner, in the event of arrest or surrender



within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Muzzaffarpur in connection with Minapur P.S. Case No. 80 of 2022, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Rajiv Roy, J)

Jagdish/Neha-

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