

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52797 of 2023

Arising Out of PS. Case No.-106 Year-2022 Thana- BIDUPUR District- Vaishali

Munna Kumar @ Abhijeet Kumar Munna, S/O Harendra Prasad, R/O Village-
Bhikhanpur, P.S- Desari, Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satya Prakash Sinha, Advocate

For the Opposite Party/s : Mr. Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 19-08-2023 Heard Mr. Satya Prakash Sinha, learned counsel

appearing on behalf of the petitioner and the learned Additional

Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection
with Bidupur P.S. Case No. 106 of 2022, registered for the
offences punishable under Sections 341, 323, 324, 307, 379, 504
and 506/34 of the Indian Penal Code.

3. Allegedly all the FIR named accused persons,
including the petitioner, are said to have assaulted the informant
on the way and co-accused 'Ranjan Kumar' snatched Rs.
50,000/-.

4. It is submitted on behalf of the learned counsel for
the petitioner that general and ominous allegation has been
levelled against all the FIR named accused persons, apart from



the fact that other co-accused persons having identical allegation have been allowed the privilege of anticipatory bail by the learned co-ordinate Bench of this Court, the particulars of which have been mentioned in paragraph no. 12 of the petition. He next submits that even during the course of investigation no specific materials has come suggesting the complicity of the petitioner. That apart, the petitioner is a man of fair antecedent. He lastly submits that both the petitioner and the informant are *pattidar* and due to ancestral land dispute, differences has arisen which resulted into lodging of the present case and the injuries sustained on the person of the informant is found to be simple in nature.

5. On the other hand, learned counsel for the State opposed the pre-arrest bail application, however, he does not refute that other co-accused persons, having similar allegation, have been allowed the privilege of anticipatory bail.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that both the petitioner and the informant are *pattidar* and the genesis of the occurrence is said to be a land dispute and, moreover, others have been allowed the privilege of anticipatory bail, coupled with the fact that the nature of injury of petitioner is simple, let



the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Bidupur P.S. Case No. 106 of 2022, subject to the conditions laid down in Section 438(2) Cr.P.C. with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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