

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51747 of 2023

Arising Out of PS. Case No.-15 Year-2023 Thana- KUCHILA District- Kaimur (Bhabua)

SUNIL PAL, S/o- MOHAN PAL Village- Kota Ps- Kuchhila Dist- Kaimur at
Bhabua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pawan Kumar Singh, Advocate

For the Opposite Party/s : Mr.Atul Chandra, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 23-08-2023 1. Heard learned counsel for the petitioner and the
learned APP for the State.

2. The petitioner is apprehending his arrest in
connection with Kuchhila P.S. Case No. 15 of 2023 registered
for the offence punishable under Sections 447, 342, 323, 324,
307, 504, 506 and 34 of the Indian Penal Code.

3. The petitioner along with others armed with sharp
edged weapon, has assaulted the informant and his son. The
specific assault on head of the informant is attributed to the
petitioner.

4. It is submitted by the learned counsel for the
petitioner that even as per allegations, all the accused persons
have assaulted the informant and his son. Altogether there are
eight accused, whereas the injury report shows only one



lacerated wound, three and a half inches, on head of the informant. The same viewed keeping in background the subsisting land dispute between the parties arising out of Civil Suit No. 842 of 2021, makes it clear that over a trivial issue, the parties engaged in a scuffle while asserting their rights over the land, in which the informant has sustained injury. All other seven accused have been allowed anticipatory bail by the court of learned Sessions Judge on 17-7-2023. The petitioner is also a man of clean antecedent.

5. Learned APP for the State has opposed the prayer for pre-arrest bail.

6. Considering the submissions advanced in support of the prayer for anticipatory bail, having regard to the subsisting civil suit between the parties, the injury report, and clean antecedent of the petitioner, this Court is inclined to allow petitioner's prayer for grant of anticipatory bail.

7. Accordingly, let the petitioner, above named, in the event of his 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) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M, Mohania (Kaimur) in connection with Kuchhila P.S.



Case No. 15 of 2023, subject to the conditions as laid down in
Section 438(2) of the Code of Criminal Procedure as also
subject to the following conditions:

(i) That one of the bailors
will be a close relative of the petitioner
who will give an affidavit giving
genealogy as to how he is related with
the petitioner. The bailor will also
undertake to inform the court if there is
any change in the address of the
petitioner.

(ii) That the petitioner will
be well represented on each date and if
he fails to do so on two consecutive
dates, his bail bond will be liable to be
cancelled.

(Madhuresh Prasad, J)

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