

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57792 of 2023

Arising Out of PS. Case No.-136 Year-2023 Thana- SUGAULI District- East Champaran

1. GOBARI RAM SON OF LATE DHANRAJ RAM RESIDENT OF VILLAGE -DHARMAPUR, PS- SUGAULI, DISTT- EAST CHAMPARAN
2. PRAYAG SAH SON OF DEOLACHHAN SAH RESIDENT OF VILLAGE -DHARMAPUR, PS- SUGAULI, DISTT- EAST CHAMPARAN
3. KIRANI SAH @ KRISHNA SAH SON OF DEOLACHHAN SAH RESIDENT OF VILLAGE -DHARMAPUR, PS- SUGAULI, DISTT- EAST CHAMPARAN
4. KASHI SAH SON DEOLACHHAN SAH RESIDENT OF VILLAGE -DHARMAPUR, PS- SUGAULI, DISTT- EAST CHAMPARAN
5. DHEERAJ KUMAR SON OF LAL BAHADUR RAM RESIDENT OF VILLAGE -DHARMAPUR, PS- SUGAULI, DISTT- EAST CHAMPARAN
6. SURAJ KUMAR SON OF RAMASHISH RAM RESIDENT OF VILLAGE -DHARMAPUR, PS- SUGAULI, DISTT- EAST CHAMPARAN
7. MUNNU MISHRA @ PRAVEEN KUMAR SON OF OM PRAKASH MISHRA RESIDENT OF VILLAGE -BAISHGHATIYA, PS- SUGAULI, DISTT- EAST CHAMPARAN
8. PRADEEM MISHRA @ PRADEEP MISHRA SON OF LAE JAI KRIPAL MISHRA RESIDENT OF VILLAGE -BAISHGHATIYA, PS- SUGAULI, DISTT- EAST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar
For the Opposite Party/s : Mr. Md. Mushtaque Alam

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 4 20-12-2023 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 Sugauli Police Station Case No. 136 of 2023, dated



12.04.2021, disclosing offences under Sections 147/148/149/341/323/324/307/354/504/506 of the Indian Penal Code.

3. The prosecution case, as per the First Information Report, is that the petitioners, along with other accused persons, named in First Information Report, armed with lathi, danda, farsa, iron rod, etc, assaulted the informant and his family members.
4. Learned counsel for the petitioners submits that both the parties are neighbours and there is land dispute between the parties, which would be evident from the statement made in the First Information Report itself. He further submits that there is general and omnibus allegation against the petitioners, except against the petitioner no. 7, who has allegedly assaulted the informant by means of knife. Referring to Annexure-2 and 2/1 i.e. injury report, learned counsel submits that injury caused to the informant and other family members are simple in nature.
5. On the other hand, learned counsel for the State submits that insofar as injury caused to the informant and one Gita Devi is concerned, it is simple in nature, but the injury caused to one Kalawati Devi has been reserved.



6. Regards being had to the submissions made on behalf of the parties and taking into consideration the fact that both the parties are neighbours, there is land dispute between them and injury caused to the informant and others are simple in nature, I am inclined to grant the petitioners privilege of anticipatory bail.
7. This application is, accordingly, allowed.
8. Let the petitioners, above named, 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) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari, in connection with Sugauli Police Station Case No. 136 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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