

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54734 of 2023

Arising Out of PS. Case No.-71 Year-2023 Thana- SHEOHAR District- Sheohar

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Anupam Kumar Singh @ Mithu Singh, Son of Sanjay Kumar Singh, Resident
of village - Mahuariya, P.S. - Sheohar, Distt. - Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Devendra Kumar, Adv.

For the Opposite Party/s : Mr. Rajendra Nath Jha, APP.

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 23-08-2023 1. Heard learned counsel for the petitioner and
learned APP for the State.
2. The petitioner apprehends his arrest in
connection with Sheohar P.S. Case No. 71 of 2023 dated
10.04.2023 registered for the offences punishable under
Sections 147, 323, 307 and 504 of the Indian Penal Code and
Section 27 of the Arms Act.
3. The main submissions advanced by learned
counsel for the petitioner are that in between both the parties
there is land dispute and many litigations are running in between
them and there is case and counter-case between them, in fact
on the alleged date and time the prosecution party themselves
attacked at the petitioner and his relatives including his father



and in that assault, the petitioner's father sustained grievous injury and regarding this fact Annexure-3 has been filed with this petition and as per the allegation levelled in the FIR of the present matter, this petitioner inflicted iron-rod blow at the head of the informant and the informant's injury report has been filed as Annexure-8 which goes to show that there are two simple injuries opined to be caused by hard and blunt object and there is no allegation of repeated blow on the informant by this petitioner during commission of the alleged occurrence.

4. Learned APP for the State has opposed the prayer for bail.

5. Considering the above submissions and mainly the facts that in between both the parties, there is case and counter-case which relates to the same date of occurrence and in the occurrence concerned to the petitioner, petitioner's father sustained grievous injury while the informant who is stated to have been assaulted by this petitioner sustained simple injury on his forehead and as per the FIR, this petitioner is not stated to have assaulted the informant repeatedly by the alleged weapon and in between both the parties there is land dispute and several litigations are running in between them, in my opinion, in the light of all these facts, the petitioner deserves to the privilege of



anticipatory bail. Accordingly, let the petitioner named-above, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount to the satisfaction of the Court concerned in connection with Sheohar P.S. Case No. 71 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Shailendra Singh, J)

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