

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60230 of 2023

Arising Out of PS. Case No.-79 Year-2020 Thana- ISMAILPUR District- Bhagalpur

Nand Lal Rai son of Late Ganesh Roy @ Ganesh Rai Village- Bedi Roy Tola
Ps- Ismailpur Dist- Bhagalpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Aditya Nath Pandey, Advocate
For the State : Mr. Arun Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 16-10-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Ismailpur P.S. Case No. 79 of 2020 registered for the offences punishable under Sections 323, 504, 506, 307 and 34 of the Indian Penal Code.

3. As per prosecution case, due to land dispute the accused persons including the petitioner were quarreling with the husband of the informant and in course of quarrel, the accused persons including petitioner started assaulting the husband of informant. When both sons of informant namely, Sajan Kumar and Deepak Kumar went to pacify the matter the accused persons assaulted Sajan Kumar by *lathi* causing head



injury.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case. It is submitted that due to land dispute altercation took place in which both sides sustained injuries. There is case and counter case between the parties. Allegation is general and omnibus and no specific overt act has been alleged against the petitioner. Petitioner has no criminal antecedent. Similarly, situated co-accused persons have been granted bail by co-ordinate Bench of this Court in Cr. Misc. No. 11546 of 2022 vide order dated 11.08.2022.

5. Learned APP opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of six weeks from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the concerned Court where the case is pending in connection with Ismailpur P.S. Case No. 79 of 2020, subject to the conditions as



laid down under Section 438 (2) of the Code of Criminal
Procedure.

(Sunil Dutta Mishra, J)

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