

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63808 of 2023

Arising Out of PS. Case No.-355 Year-2019 Thana- TRIVENIGANJ District- Supaul

-
1. PANALAL SARDAR SON OF GONAR SARDAR RESIDENT OF VILLAGE -DAPARAKHA, WARD NO. 4, P.S- TRIVENIGANJ, DISTRICT- SUPAUL
 2. RAMBHU SARDAR SON OF BHUMI SARDAR RESIDENT OF VILLAGE -DAPARAKHA, WARD NO. 4, P.S- TRIVENIGANJ, DISTRICT- SUPAUL

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 18-10-2023 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail, arises out of Triveniganj Police Station Case No. 355 of 2019, disclosing offences under Sections 341, 323, 307, 504, 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the First Information Report, on 14.08.2019, in the evening, the accused persons, armed with gun, pistol and other weapons arrived at the door of the informant and surrounded her and started abusing her. It has been alleged that petitioner No. 1, Pannalal Sardar, fired upon the informant which crossed after touching the body of the informant and



petitioner No. 2, Rambhu Sardar, tried to assault the informant by means of spear.

4. Learned Counsel for the petitioner submits that both the parties are closely related inasmuch as the father of the petitioners is own brother of the husband of the informant. There is a land dispute between the parties and from perusal of the First Information Report, it would be evident that due to alleged firing or overt act by the petitioners, no injury has been caused to the informant. The injury of the informant has not been brought on record by the prosecution before the learned Sessions Judge and before this Court also. The petitioners are having no criminal antecedent and there is a counter case also lodged by the side of the petitioners bearing Triveniganj P.S. Case No. 354 of 2019 which is prior in time to the present FIR.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that both the parties are closely related and no apparent injury has been brought on record by the prosecution before this Court, I am inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let the petitioner, Panalal Sardar, Rambhu Sardar, in the event of his 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 Additional Chief Judicial Magistrate- 1st Class, Supaul, in connection with Triveniganj Police Station Case No. 355 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

HarshPandey/-

U		T	
---	--	---	--

