

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62456 of 2023

Arising Out of PS. Case No.-43 Year-2023 Thana- KACCHWA District- Rohtas

1. Rajesh Singh Son Of Bhushan Singh Resident Of Village- Niranjapur, Ps-Kachhwan, Dist- Rohtas (BIHAR)
2. Suman Singh Son Of Bhushan Singh Resident Of Village- Niranjapur, Ps-Kachhwan, Dist- Rohtas (BIHAR)
3. Prakash Singh Son Of Bhushan Singh Resident Of Village- Niranjapur, Ps-Kachhwan, Dist- Rohtas (BIHAR)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajesh Kumar Chaubey, Adv.
For the State	:	Mr. Bharat Lal, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 18-10-2023 Heard learned counsel for the petitioners and the learned Additional Public Prosecutor (for brevity 'APP') for the State.

2. The petitioners are apprehending their arrest in connection with Kachhwa P.S. Case No. 43/ 2023 registered for the offence punishable under Sections 147, 148, 149, 341, 323, 337, 338, 307, 448, 379, 504 and 506 of the Indian Penal Code (for brevity 'IPC').

3. There is allegation against the petitioners that in the course of asserting rights over land, it is alleged that petitioners have opened fire and assaulted one 'Rajiv Singh' on head by means of stick.



4. Learned counsel for the petitioners submits that altogether 29 persons have been made accused so as to bring the accused side to terms in the land dispute. The injury report of 'Rajiv Singh', who the petitioners are stated to have assaulted, has sustained minor injuries, being an abrasion wound over right ring finger, as per averment made in the bail application. The sole antecedent of the petitioners as per statement in paragraph-3 is in a case instituted by the same parties on extraneous considerations.

5. Learned APP for the State has opposed the prayer for anticipatory bail.

6. Having regard to the submissions advanced by the petitioners' counsel, nature of accusations, injury and the manner of occurrence, arising out of land dispute, this Court is inclined to allow petitioners' prayer for grant of anticipatory bail.

7. Accordingly, let the petitioner, above named, in the event of thier arrest or surrender before the court below within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Bikramganj, District-



Rohtas in connection with Kachhwa P.S. Case No. 43/ 2023,
subject to the following conditions:

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

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

(Madhuresh Prasad, J)

Mayank/
Raj Kishore/-

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