

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71177 of 2022

Arising Out of PS. Case No.-131 Year-2022 Thana- CHAKAI District- Jamui

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TIRO PASWAN Son of Tahal Paswan @ Tahlu Paswan Resident of Village -
Gola Chakai, P.S.- Chakai, Dist.- Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhat Ranjan Singh

For the Opposite Party/s : Mr. Zainul Abedin

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 15-05-2023 Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail,
arises out of Chakai Police Station Case No. 131 of 2022 dated
13.06.2022, disclosing offences under Sections
341/323/447/307/504/506/34 of the Indian Penal Code.

The prosecution story, on the basis of the First
Information Report, is that seven persons entered into the house
of the informant and assaulted the informant and his family
members. There is a specific allegation against the petitioner
that he assaulted the son of the informant by means of farsa due
which he sustained injury below his right eye.

Learned Counsel for the petitioner submits that
there is land dispute between the parties and from perusal of the



First Information Report it would be evident that the accused persons entered into the house of the informant and claimed that they would construct house upon the land belonging to the informant. He next submits that the injury caused to the victim i.e. son of the informant is simple in nature, as would be evident from the opinion of the doctor at Annexure-3 to the petition. Learned counsel further submits that there is a case and counter case between the parties for an occurrence which has taken place on the same date and time for which First Information Report bearing Chakai Police Station Case No. 134 of 2022 dated 14.06.2022, has been lodged by the sister-in-law of the petitioner. Some of the family members of the petitioner have also received injuries, which would be evident from Annexure-4 to the writ application.

Regards being had to the submissions made by the parties and taking into consideration the nature of the injuries sustained by the informant's son, which is simple in nature and there is a case and counter case between the parties, accordingly, I am inclined to grant anticipatory bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, above named, 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 Judicial Magistrate 1st Class, Jamui, in connection with Chakai Police Station Case No. 131 of 2022, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Anil Kumar Sinha, J)

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