

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74169 of 2023

Arising Out of PS. Case No.-419 Year-2023 Thana- BARACHATTI District- Gaya

1. SURAJ KUMAR Son of Ramswarup Yadav R/o vill - Sujanchak, P.S. - Mohanpur, Distt. - Gaya
2. Sudarshan Yadav @ Sudrshan Kumar Son of Ramswarup Yadav R/o vill - Sujanchak, P.S. - Mohanpur, Distt. - Gaya
3. Ram Swaroop Yadav Son of Late Lochan Yadav R/o vill - Sujanchak, P.S. - Mohanpur, Distt. - Gaya
4. Ram Rati Devi W/o Ramswaroop Yadav R/o vill - Sujanchak, P.S. - Mohanpur, Distt. - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar

For the Opposite Party/s : Mr.Rana Randhir Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 29-11-2023 1. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Barachatti (Mohanpur) Police Station Case No. 419 of 2023, dated 01.05.2023, disclosing offences punishable under Sections 341/323/447/379/354/34 of the Indian Penal Code.
3. The prosecution case, as per the First Information Report, is that on 23.04.2023, the accused persons abused and assaulted the informant and her son with lathi and iron



rod and brought the informant outside her shop. It has been alleged that a shampoo was purchased by a child from the shop of the informant and the accused persons assaulted the informant on the ground that she should not have given the shampoo to the child. The accused persons also snatched the ear-ring and chain and also took away Rs. 30,000/- kept in the cash box of the shop.

4. Learned Counsel for the petitioners submits that both the parties are co-sharers and next door neighbours. The injury caused to the informant has been found to be simple in nature, as would be evident from the injury report (Annexure 2). He further submits that there is previous land dispute between the parties.
5. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that both the parties are co-sharers, there is land dispute between them, the injury caused to the informant and other is not serious in nature, I am inclined to grant the petitioners privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period



of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned 2nd Additional Chief Judicial Magistrate, Sherghati, at Gaya, in connection with Barachatti (Mohanpur) Police Station Case No. 419 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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