

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71995 of 2022

Arising Out of PS. Case No.-343 Year-2022 Thana- SASARAM MUFFSIL District- Rohtas

1. Amit Kumar S/O Gopal Singh R/O Village- Chitawanpur, P.S- Sasaram (M), District- Rohtas.
2. Satyendra Singh @ Satyendra Yadav S/O Late Shyam Shyam Kora Singh R/O Village- Bhadrasila, P.S-Sheosagar, District- Rohtas.
3. Sudarshan Singh S/O Late Sita Ram Singh R/O Village- Bhadrasila, P.S-Sheosagar, District- Rohtas.
4. Chhotan Singh @ Chhotan Yadav S/O Kachahari Singh R/O Village- Kadai, P.S- Kudra, District- Kaimur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhaneshwar Prasad Gupta, Advocate

For the Opposite Party/s : Ms.Nirmala Kumari, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 29-04-2023 Heard the learned counsel for the petitioners and the learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Sasaram (M) (Dhaudarh O.P.) PS case no. 343 of 2022, registered for the offences punishable under Sections 341, 323, 307, 379, 504/34 of the Indian Penal Code.

The accused persons including the petitioners herein are stated to have assaulted the informant on the alleged date and time of occurrence.

The learned counsel for the petitioners submits



that petitioners are innocent, have been falsely implicated in the present case and are having a clean antecedent. The learned counsel for the petitioners has further submitted that as far as the petitioners are concerned, the allegations levelled *qua* them of having assaulted the informant does not stand corroborated with the injury report and in any view of the matter, most of the injuries sustained by the informant have been found to be simple in nature. It is also submitted that the present case arises out of case and counter case and the dispute in question has arisen on account of land dispute.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that the petitioners are having a clean antecedent, the occurrence in question has taken place on account of land dispute amongst the parties and the present case arises out of case and counter case apart from the fact that the most of the injuries sustained by the informant are simple in nature, I deem it fit and appropriate to admit the petitioners to the privilege of anticipatory bail.



Accordingly, the abovenamed petitioners, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/ production of a copy of this order, are directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Sasaram, Rohtas in connection with Sasaram (M) (Dhaudarh O.P.) PS case no. 343 of 2022, subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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