

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6532 of 2024

Arising Out of PS. Case No.-169 Year-2023 Thana- HUSSAINGANJ District- Siwan

1. Manan Sah S/o Late Rudal Sah R/o Village - Sareya , P.S. - Hussainganj, District- Siwan
2. Sabitri Devi @ Saviri Devi W/o Manan Sah R/o Village - Sareya , P.S. - Hussainganj, District- Siwan
3. Baliram Sah @ Baliram Kumar S/o Chandrika Sah R/o Village - Fatehpur, P.S. - Jamo Bazar, District - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar

For the Opposite Party/s : Mr. Nitya Nand Tiwary

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 20-02-2024 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 Hussainganj Police Station Case No. 169 of 2023, disclosing offences under Sections 341, 323, 324, 307, 379, 504, 34 of the Indian Penal Code.
3. As per the F.I.R., on 29.06.2023, in the morning, while the informant was sowing i.e., the paddy seeds in the field, the co-sharer of the informant, along with the petitioners, arrived there with *lathi*, *danda* and sharp cutting weapon. The petitioner No. 1 assaulted the



informant by means of dabh. Petitioner No. 2 snatched the silver chain of the informant and petitioner No. 3 assaulted the son of the informant by means of danda.

4. Learned Counsel for the petitioners submits that both the parties are agnates and co-sharer and there is land dispute between them. He further submits that the occurrence has taken place on 29.06.2023 but the F.I.R. has been lodged on the basis of written report after a delay of eight days on 07.07.2023. Referring to the injury refers in the impugned order, learned counsel submits that nature of injury has not been disclosed but the injury appears to be simple in nature.
5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that both the parties are co-sharers/agnate, there is a land dispute between them, I am inclined to grant the petitioner privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. Let the petitioners, Manan Sah, Sabitri Devi @ Saviri Devi, Baliram Sah @ Baliram Kumar, in the event of their 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-IX, Siwan, in connection with Hussainganj Police Station Case No. 169 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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