

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10935 of 2024

Arising Out of PS. Case No.-500 Year-2023 Thana- GOPALPUR District- Bhagalpur

1. Mithun Kumar @ Mithilelsh Kumar S/o Anil Sah R/o Vill - Sukita Bazar, P.S. - Gopalpur, Dist. - Bhagalpur
2. Gulshan Kumar S/o Anil Sah R/o Vill - Sukita Bazar, P.S. - Gopalpur, Dist. - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sujit Kumar Singh

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 06-03-2024 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 307, 447, 504, 506 and 34 of the Indian Penal Code read with Section 37 of the Arms Act.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and have been falsely implicated in the present case by the informant on account of dispute relating to marking of boundary of land. It is next submitted that petitioners are own brothers and their father had sold one portion of the land to the informant and the



adjacent plot was with the petitioners, as such, the petitioners intended to get the land demarcated by a boundary for which they had petitioned the Circle Officer, but then the O.P. No. 2 intended to encroach the land of the petitioners which was adjacent to his purchased land on account of which an altercation took place between the petitioners and the informant. It is next submitted that though it is alleged that petitioner no. 1 fired, but then no one was injured and as far as petitioner no. 2 is concerned, the allegation against him is general and omnibus in nature. It is thus submitted that allegation of firing has been made only to give a serious colour to the case when admittedly the altercation had taken place on account of dispute relating to marking of boundary of the land.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

5. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where



the case is pending/successor court in connection with Gopalpur
(Rangra) P.S. Case No. 500 of 2023 subject to the conditions as
laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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