

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11332 of 2024

Arising Out of PS. Case No.-1 Year-2020 Thana- PHENHARA District- East Champaran

1. RANJAN SINGH @ ABHISHEK KUMAR S/O DAMODAR SINGH R/O VILLAGE- MANKARWA, P.S- PHENHARA, DISTT.- EAST CHAMPARAN.
2. DAMODAR SINGH S/O LATE BIJLI SINGH R/O VILLAGE-MANKARWA, P.S- PHENHARA, DISTT.- EAST CHAMPARAN.
3. DEVENDRA SINGH S/O LATE BIJLI SINGH R/O VILLAGE-MANKARWA, P.S- PHENHARA, DISTT.- EAST CHAMPARAN.
4. NAVEEN SINGH S/O LATE RAM NARESH SINGH R/O VILLAGE-MANKARWA, P.S- PHENHARA, DISTT.- EAST CHAMPARAN.
5. DHIRU SINGH @ PRABHAT KUMAR S/O BHARAT SINGH R/O VILLAGE- MANKARWA, P.S- PHENHARA, DISTT.- EAST CHAMPARAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Adv.

For the Opposite Party/s : Mr.Arun Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 12-03-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners are apprehending their arrest in connection with Phenhara P.S. Case No. 01 of 2020 registered for the offences punishable under Sections 147, 149, 341, 323, 307, 379, 504, 506 of the Indian Penal Code.

3. As per prosecution case, petitioners alongwith others armed with weapon reached at informant's wheat field. It is alleged that co-accused Chandan Singh assaulted the



informant upon his head by means of iron rod as a result of which he sustained head injury. Thereafter, petitioner nos. 3 and 4 assaulted informant by means of iron rod and bamboo upon his hand and back. It is alleged that petitioner no. 5 assaulted informant's nephew Dinanath Sah by means of iron rod upon his head as a result of which he sustained head injury. It is further alleged that petitioner no. 1 is said to have assaulted informant's brother Hakim Sah by means of lathi and bamboo.

4. Learned counsel for the petitioners submits that co-accused Chandan Singh @ Chandan Kumar has already been granted anticipatory bail by the Co-ordinate Bench of this Court vide Cr. Misc. No. 32714 of 2021 and the case of present petitioners stands more or less on similar footing. He further submits that there is case and counter case between both the parties. He further submits that there is a land dispute between the parties and on the said reason petitioners have falsely been implicated in the present case. He further submits that all the injuries of the injured person are simple in nature. Petitioners are innocent and have committed no offence as alleged in the FIR. Petitioners bear no criminal antecedent.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.



6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioners, co-accused has already been granted anticipatory bail, argument advanced on behalf of both sides and also taking into consideration the material available on record, 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 bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Phenhara P.S. Case No. 01 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Alok Kumar Pandey, J)

alok/-

U		T	
---	--	---	--

