

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12111 of 2024

Arising Out of PS. Case No.-294 Year-2022 Thana- CHAKIA District- East Champaran

1. Rajesh Sah S/o Late Ramashray Sah R/o vill - Manichhapra, P.S. - Chakia, Distt. - East Champaran
2. Mukesh Sah @ Mukesh Kumar Son of Late Ramashray Sah R/o vill - Manichhapra, P.S. - Chakia, Distt. - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Raj Kishor Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 12-03-2024 1. Heard the parties.

2. The petitioners apprehend their arrest in connection with Chakiya P.S. Case No. 294 of 2022 dated 09.07.2022 registered under Sections 341, 323, 324, 307, 379, 506, 34 of the I.P.C.

3. As per the F.I.R. on 09.07.2022 in the morning while the informant along with his family members were constructing their house, in the meanwhile, all the accused persons including the petitioners and eight unknown persons armed with various weapons arrived there. The allegation against the petitioner no. 1 is that he assaulted Rinku Kumari by means of *lathi* upon her head and there is general and omnibus allegation of assault against the petitioner no. 2 / Mukesh Sah @ Mukesh Kumar.



4. Learned counsel for the petitioners submits that both the parties are agnates having land dispute between them. Case and counter case is there inasmuch as Chakiya P.S. Case No. 295 / 2022 under Sections 341, 323, 324, 307, 379, 504, 34 of the I.P.C. was lodged by the co-accused / Indrajeet Sah. Two persons have also sustained injury from the petitioners' side and injury sustained by one of them is grievous in nature. The injury caused to Rinku Kumari is simple in nature as would be evident from the impugned order itself.

5. Regard being had to the submission made by the parties, taking into consideration the fact that both the parties are agnates, there is land dispute between them, case and counter case is also there, injury caused to the victim Rinku Kumari is simple in nature and there is general and omnibus allegation against the petitioner no. 2, as such, I am inclined to grant anticipatory bail to the petitioners.

6. Let the petitioners, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, East Champaran at Motihari in



connection with Chakia P.S. Case No. 294 of 2022 subject to
the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

praful/-

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