

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24132 of 2024

Arising Out of PS. Case No.-98 Year-2022 Thana- LAURIA District- West Champaran

1. Raghaw Ram S/o late Kachan Ram @ Late Kanchan Ram R/o Village Paroraha Police station Lauriya District west Champaran
2. Shiv Sankar Ram @ Nandkishore Ram S/o Raghaw Ram R/o Village Paroraha Police station Lauriya District west Champaran
3. Phoolkali Devi W/o Raghaw Ram R/o Village Paroraha Police station Lauriya District west Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra, Advocate

For the Opposite Party/s : Mr. Kumar Veerendra Narayan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 24-04-2024 Heard the parties.

2. The petitioners are apprehending their arrest in connection with Lauriya P.S. Case No. 98 of 2022 for the offence under Sections 147, 149, 341, 323, 324, 307, 379, 504, 506 and 447 of the I.P.C. lodged on 11.04.2022 by the informant, Tapeswar Ram.

3. As per the prosecution story, due to land dispute allegation is that Raghaw Ram (petitioner No. 01) assaulted the informant, Shiv Shankar (petitioner No. 02) assaulted informant's wife while there is no allegation on Phoolkali Devi (petitioner No. 03). The further allegation is against Ajay of



assaulting his wife. Accordingly, the FIR.

4. Learned counsel for the petitioners submit that there is a case and counter-case to the said occurrence, the injuries inflicted have been found to be simple in nature and further they being agnates good sense prevailed upon them and they have compromised the matter.

5. Learned APP opposes the prayer stating that allegation of assault is on the petitioners.

6. Considering the aforesaid submissions put forward by the learned counsel for the petitioners, the injuries have been found to be simple in nature, there is a case and counter-case, now they have settled the matter, FIR lodged and they will be facing the trial, this Court is inclined to extend them privilege of anticipatory bail with conditions.

7. Let the petitioners be released on bail in the event of their arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-1st, Bettiah, District-West Champaran in connection with Lauriya P.S. Case No. 98 of 2022 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.



(i) one of the bailor should be the family member of the petitioners who shall provide official document to show their bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

8. With the aforesaid observations, the anticipatory bail application is allowed.

(Rajiv Roy, J)

Adnan/-

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