

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28895 of 2024

Arising Out of PS. Case No.-502 Year-2023 Thana- CHHATAUNI District- East Champaran

1. AKASH KUMAR SON OF MISHRILAL SAH RESIDENT OF VILLAGE - CHHATAUNI BAZAR, WARD NO.11, P.S. - CHHATAUNI, DISTRICT - EAST CHAMPARAN
2. RAJA KUMAR @ RAJA BABU SON OF MISHRILAL SAH RESIDENT OF VILLAGE - CHHATAUNI BAZAR, WARD NO.11, P.S. - CHHATAUNI, DISTRICT - EAST CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rahul Singh
For the Opposite Party/s : Mr. Bhanu Pratap Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 30-05-2024 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 Chhatuani Police Station Case No. 502 of 2023, dated 08.10.2023, disclosing offences under Sections 341/323/307/379/504/506/120(B)/34 of the Indian Penal Code.
3. The prosecution case, as per the First Information Report, is that on 03.10.2023, the petitioners, in a drunken state, assaulted the staff of the informant. On 04.10.2023, in the evening, while the informant was going to his bakery, the petitioners, along with 8 to 10 miscreants, armed with



weapons, surrounded him and the petitioner no. 1 took the informant at gun point. The petitioner no. 1 started abusing him and upon his orders, all the accused persons assaulted the informant by means of lathi, danda, iron-rod etc. The petitioner no. 2 snatched a sum of Rs. 27,000/- from the informant's pocket. Petitioner no. 1 also assaulted the informant on his head by butt of the pistol due to which he sustained injury.

4. Learned Counsel for the petitioners submits that there is land dispute between the parties and the informant is own uncle of the petitioners. Injury caused to the informant is simple in nature as would be evident from injury report annexed at Annexure-2.
5. Regards being had to the submissions made on behalf of the parties and taking into consideration the fact that both the parties are closely related, there is land dispute between them and injury caused to the victim is simple in nature, I am inclined to grant the petitioners privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. Let the petitioners, above named, 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) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, east Champaran at Motihari, in connection with Chhatuani Police Station Case No. 502 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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