

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33197 of 2024

Arising Out of PS. Case No.-107 Year-2023 Thana- MANSI District- Khagaria

1. Nutan Devi WIFE OF LATE VARUN SAH VILLAGE-CHAK HUSSAINI NAGAR PANCHAYAT PS -MANSI DISTRICT -KHAGARIA
2. GAYATRI DEVI WIFE OF YOGI SAH @ YOGENDRA SAH VILLAGE-CHAK HUSSAINI NAGAR PANCHAYAT PS -MANSI DISTRICT -KHAGARIA
3. RINKU DEVI WIFE OF ARUN SAH VILLAGE-CHAK HUSSAINI NAGAR PANCHAYAT PS -MANSI DISTRICT -KHAGARIA
4. SANNNI KUMAR @ SANNNI SAH SON OF LATE VARUN SAH VILLAGE-CHAK HUSSAINI NAGAR PANCHAYAT PS -MANSI DISTRICT -KHAGARIA
5. GULSHAN SAH @ GULSHAN KUMAR SON OF LATE VARUN SAH VILLAGE-CHAK HUSSAINI NAGAR PANCHAYAT PS -MANSI DISTRICT -KHAGARIA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 33627 of 2024

Arising Out of PS. Case No.-107 Year-2023 Thana- MANSI District- Khagaria

Deepak Kumar Vidharthi Son of Late Ramchandra Sah R/O VILLAGE-Chakhussani, Ward No.-13, P.S.- Mansi Dist.- KHAGARIA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 33197 of 2024)

For the Petitioner/s : Mr.Rahul Singh

For the Opposite Party/s : Mr.Narendra Kumar Singh

(In CRIMINAL MISCELLANEOUS No. 33627 of 2024)

For the Petitioner/s : Mr.Rahul Singh

For the Opposite Party/s : Mr.Ajay Kumar Jha

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 02-08-2024 1. Since both these applications arise out of the same case,



they are heard together and are being disposed by this common order.

2. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.
3. These applications, for grant of anticipatory bail, arise out of Mansi Police Station Case No. 107 of 2023, disclosing offences punishable under Sections 447/448/323/307/354/379/427/506/34 of the Indian Penal Code.
4. The prosecution case, as per the First Information report, is that while the informant was sitting at her house, the petitioners along with 13 other co-accused persons entered into the house of the informant and on the order of petitioner, namely, Dipak Kumar Vidyarthi, all accused persons assaulted the informant and her two sons by means of lathi and danda, causing head injury to them.
5. Learned Counsel for the petitioners submits that both parties are agnates/co-sharers and there is land dispute between them. He further submits that informant's side wants to encroach the common passage/road of the village, which was being opposed by the petitioners' side, due to which, scuffle took place between the parties and a counter case bearing Mansi Police Station Case No. 108



of 2023 has also been lodged by the petitioners' side against the informant and her sons. He further submits that injuries caused to the informant and her two sons are simple in nature, as is evident from the injury reports (Annexure 2 series). He also submits that in the First Information Report lodged by the petitioners' side, accused persons have been granted anticipatory bail by the learned District Court. He further submits that co-accused persons, namely, Nitish Kumar (vide order, dated 24.01.2024, passed in Criminal Misc. No. 86682 of 2023) and Raja Sah, Pankaj Sah, Sudheer Sah and Chandrakala Devi (vide order, dated 03.04.2024, passed in Criminal Misc. No. 24643 of 2024) have been granted anticipatory bail by this Court.

6. Regard being had to the submissions made on behalf of the parties and taking into consideration the fact that both parties are agnates, land dispute is existing between them, the injuries caused to the informant and her two sons are simple in nature and the co-accused persons have been granted anticipatory bail by this Court, I am inclined to grant the petitioners privilege of anticipatory bail.
7. These applications are, accordingly, allowed.



8. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria, in connection with Mansi Police Station Case No. 107 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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