

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33523 of 2024

Arising Out of PS. Case No.-1 Year-2024 Thana- TEYAR District- Bhojpur

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RAMESH SINGH @ RAMESH KUMAR SON OF BRIJ KUMAR
KUSHWAHA RESIDENT OF VILLAGE - UTTARDAHA, POLICE
STATION - TIYAR, DISTRICT - BHOJPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Singh

For the Opposite Party/s : Mr.Surendra Kumar

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 27-05-2024 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Tiyar Police Station Case No. 01 of 2024, disclosing offences punishable under Sections 341/323/307/379/504/506/34 of the Indian Penal Code.
3. The prosecution case, as per the First Information Report, is that on 29.12.2023, at 3 O' Clock, the informant was returning from her field with her husband and other family members, in the mean while, the petitioner along with some other persons abused her husband and brother-in-law (Bhaisur) and upon objection being raised by the informant, they assaulted the informant and her family



members. The allegation against the petitioner is that he assaulted one Yogendra Kumar by means of lathi.

4. Learned Counsel for the petitioner submits that both the parties are co-villagers and there is land dispute between them. There is case and counter case between the parties inasmuch Tiyar P.S. Case No. 91 of 2023 was lodged by the petitioner's side, which is prior in time to the First Information Report lodged by the informant. There is delay in lodging the First Information Report inasmuch as the occurrence has taken place on 29.12.2023, but the F.I.R. has been lodged on 01.01.2024, which was sent to the District Court on 09.01.2024. The injury report (Annexure P/3) shows injury to one Dinesh Kumar Singh and Umesh Kumar Singh and not to Yogendra Kumar.
5. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that there is case and counter case, both the parties are co-villagers and injury of Yogendra Kumar has not been brought on record by the prosecution, I am inclined to grant the petitioner privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. Let the petitioner, above named, in the event of his arrest



or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Bhojpur, at Ara, in connection with Tiwar Police Station Case No. 01 of 2024, 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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