

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38205 of 2024**

Arising Out of PS. Case No.-6 Year-2024 Thana- PANDAUL District- Madhubani

MANOJ THAKUR @ MANOJ KUMAR THAKUR S/O LATE SURESH THAKUR R/O VILLAGE- BRAHMOTARA, P.S- PANDAUL, DISTT.- MADHUBANI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gopal Jha
For the Opposite Party/s : Mr. Uday Pratap Singh

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER**

- 2 03-07-2024 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 Pandaul Police Station Case No. 06 of 2024 (corresponding to G. R. No. 44 of 2024, dated 07.01.2024, disclosing offences under Sections 341/323/324/308/354(B)/379/504/34 of the Indian Penal Code.
3. The prosecution case, as per the First Information Report, is that on 07.01.2024, in the morning, while the informant was on his land for its measurement, along with the co-sharer of the informant, the petitioner came there, opposed the measurement and abused the informant.



When objected, the accused persons assaulted the informant and others using lathi, danda, knife, etc. The petitioner assaulted the informant by means of knife near the left side of his head and left and right side of the face.

4. Learned Counsel for the petitioner submits that the informant side is the purchaser of the land from the co-sharer of the petitioner. There was some dispute regarding the land purchased by the informant and upon which some scuffle had taken place. He further submits that the petitioner has falsely been implicated in this case inasmuch as in the First Information Report it has been alleged that the petitioner used a sharp weapon i.e. knife for assaulting the informant, but the injury report shows that the injury is simple in nature and is caused by hard and blunt substance. The petitioner has got no criminal antecedent.
5. Regards being had to the submissions made on behalf of the parties and taking into consideration the fact that there is land dispute between the parties and injury caused to the informant is simple in nature, 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 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, Madhubani, in connection with Pandaul Police Station Case No. 06 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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