

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49054 of 2024

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

Mantosh Kumar @ Mantosh Kumar Singh S/O BRIJ KUMAR KUSHWAHA
R/O VILLAGE- Uttardaha, P.S.- TIYAR, DIST- BHOJPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Singh

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

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 30-08-2024 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, dated 01.01.2024 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 Dinesh Kumar Singh by means of iron-rami.

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 First Information Report has been lodged on 01.01.2024, which was sent to the District Court on 09.01.2024. He further submits that from the injury report (Annexure P/3), it is evident that the injury caused to Dinesh Kumar Singh is simple in nature. He next submits that similarly situated co-accused Ramesh Singh has been granted anticipatory bail by this Court, vide order, dated 27.05.2024, passed in Criminal Misc. No. 33523 of 2024.
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, the injury caused to Dinesh Kumar Singh is



simple in nature and similarly situated co-accused has been granted anticipatory bail by this Court, 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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