

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44920 of 2024

Arising Out of PS. Case No.-276 Year-2023 Thana- DUMARIAGHAT District- East
Champaran

=====

BACHA SINGH SON OF LATE PRASAD SIGH VILLAGE- BADHARWA
KHURD, P.S.- DUMARIYAGHAT, DISTT.- EAST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Akshay Lal Pandit

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 24-07-2024 1. Heard the parties.

2. The petitioner apprehends his arrest in connection with
Dumariyaghat P.S. Case No. 276 of 2023 dated 20.10.2023
registered under Sections 341, 323, 324, 307, 379, 504, 506, 34
of the I.P.C.

3. As per the First Information Report the petitioner assaulted
the informant by means of sharp cutting weapon causing head
injury along with other accused persons.

4. Learned counsel for the petitioner submits that petitioner is
sixty two years old and has falsely been implicated in this case
due to land dispute between the parties. Both informant and the
petitioner are agnates and there is case and counter case
inasmuch as Dumariyaghat P.S. Case No. 275 of 2023 has been
lodged by the side of the petitioner against the informant and



others. The F.I.R. lodged by the petitioner is prior in time. From perusal of the impugned order it would be evident that case diary was called for but the learned Sessions Judge, East Champaran, Motihari has recorded that injury report is not attached with the case diary.

5. Regard being had to the submission made by the parties, taking into consideration the fact that both the parties are agnates, there is land dispute, case and counter case is also there and prosecution has not brought injury report on record, as such, I am inclined to grant anticipatory bail to the petitioner.

6. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Dumariyaghat P.S. Case No. 276 of 2023 subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

praful/-

U		T	
---	--	---	--

