

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50064 of 2024

Arising Out of PS. Case No.-41 Year-2023 Thana- MUNGER MUFFASIL District- Munger

Nakul Paswan Son of Bhagwan Paswan R/O Mohalla- Harpur, P.S.- Muffasil,
Dist.- Munger

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashi Saurabh

For the Opposite Party/s : Mr. Suman Kumari Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

2 28-08-2024 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 Muffasil Police Station Case No. 41 of 2023, disclosing offences under Sections 341, 323, 325, 307, 379, 504, 506, 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the First Information Report, on 25.01.2023, while the informant was feeding her cow in front of her house, the petitioner along with other accused persons came with weapon and it has been alleged that the petitioner started abusing the informant. He caught the informant by her hair and pulled her down on the ground and assaulted her with the butt of the pistol and sat on the chest of the informant.

4. Learned Counsel for the petitioner submits that both the parties are agnates and there is land dispute between them. The petitioner has been implicated on the basis of concocted story. The scuffle took place due to the land dispute between the parties on the date of occurrence for which the counter case has been



lodged by father of the petitioner bearing Muffasil Police Station Case No. 42 of 2023. The injury caused to the informant is simple in nature as would be evident from the injury report annexed at Annexure P/4.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that both the parties are agnates, there is land dispute between them, case and counter case is also there, injury caused to the victim 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) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Munger, in connection with Muffasil Police Station Case No. 41 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

HarshPandey/-

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