

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50241 of 2024

Arising Out of PS. Case No.-299 Year-2023 Thana- GORIAKOTHI District- Siwan

Shikchand Musahar @ Shivchand Mushar Son Of Vriksha Mushar Resident
of Saidpura Bazar, P.S.- Goreyakothi, Distt.- Siwan, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Abhijeet Abhigyan, Advocate Mr. Gaurav Kumar, Advocate Mr. Gyan Prakash, Advocate
For the Opposite Party/s	:	Mr. Ganesh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 31-08-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Goreyakothi P.S. Case No. 299 of 2023 instituted under Sections 307, 147, 148, 323, 324, 325, 379, 380, 452, 428, 506 & 34 of the Indian Penal Code.

3. As per the prosecution case, the complainant filed the complaint case which was sent for registration of FIR in which it is the allegation that all the accused persons including the petitioner variously armed with came at his house and the petitioner assaulted the complainant by means of axe and ordered to remove the hut from his house. It is further alleged that other co-accused persons also assaulted the



informant/complainant and his family members and also stolen jewellery from his house.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Both the parties are neighbour and there was previous land dispute between the parties and the simple altercation took place due to land dispute in which nobody has got grievous injury. However, after more than three months the informant/complainant had filed the complaint as an after-thought. There is no medical report to support the allegation of the complainant. The petitioner has clean antecedent and he undertakes to co-operate in the investigation and the trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount to each to the satisfaction of the learned J.M. 1st Class, Siwan / Concerned Trial Court in connection with Goreyakothi P.S. Case No. 299 of 2023, subject



to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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