

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53752 of 2024

Arising Out of PS. Case No.-463 Year-2023 Thana- MOTIHARI MUFASIL District- East
Champaran

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1. Sanjeev Singh Son of Bhimbali Singh R/O Vill.-Katha, P.s.- Mufassil, Dist.- East Champaran
 2. Aman Kumar Son of Sanjay Singh R/O Vill.-Katha, P.s.- Mufassil, Dist.- East Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Dilip Kumar No. 1

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 26-07-2024 Heard learned counsel for the petitioners
and learned APP for the State.

The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Muffasil P.S. Case no. 463 of 2023 instituted for the offence under Sections 341, 323, 324, 325, 307, 354(A), 379, 34 of the Indian Penal Code.

As per allegation in the FIR, while the uncle of the informant was sitting at the door of his house, co-accused Sanjay Singh came there and started abusing. When he raised protest, petitioner



No. 1, Sanjeev Singh assaulted him by means of Farsa on back side of the head of informant's uncle. Petitioner No. 2, Aman Kumar assaulted him by means of Dabiya due to which he further sustained head injuries. It is further alleged that when the informant came to his rescue, he was also assaulted by farsa by the petitioner No. 1, Sanjeev Singh, due to which he sustained head injuries and co-accused Prince Kumar assaulted him by means of iron rod due to which informant's hand got fracture. It is further alleged that co-accused Rita Devi and Reena Devi entered the house of informant and took Rs. 3,00,000/- from the box and also looted gold jewelleryes worth Rs. 2,00,000/-.

Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and has committed no offence. There is admitted land dispute between the parties and Title suit is pending between them. Neither the petitioners were arrested nor any incriminating article has been recovered from their possession.



From perusal of injury report (Annexure 2) of informant's uncle, it appears that doctor has found three lacerated wound and the same is opined as simple in nature and from the injury report of informant, it appears that he has sustained four injuries, out of which three injuries are simple in nature and injury no. 4, sustained by him on his hand, is grievous in nature which is attributed against co-accused Prince Kumar. Similarly situated several co-accused persons have been granted bail by this Court.

In contra, learned A.P.P. appearing on behalf of the State has vehemently opposed the prayer of bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Muffasil P.S. Case no. 463 of 2023, they will be enlarged on



bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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