

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51565 of 2024

Arising Out of PS. Case No.-14 Year-2024 Thana- LAURIA District- West Champaran

Vivek Rao @ Vivek Kumar SON OF Birendra Rao VILL - MUSAHARI
BUBANIYA, P.S. - SIRISIYA O.P. DIST - WEST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Mohan Singh, Advocate

For the Opposite Party/s : Dr. Indihar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 20-07-2024 1. Heard learned counsel for the petitioner, learned
APP for the State and the learned counsel appearing on behalf of
the informant.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 147, 148, 149, 341, 323, 324, 307, 379, 504, 506 of the
IPC in connection with Lauriya P.S. Case No.14 of 2024.

3. The learned counsel for the petitioner submits that
petitioner has antecedent of three cases, but then he was
acquitted in Krishnapuri P.S. Case No.104 of 2014 and is on bail
in other two cases.

4. It is next submitted that petitioner and the
informant are agnates and on account of dispute relating to land
the present occurrence is alleged to have taken place. It is also



submitted that father of the petitioner sold some portion of his land to Rana Singh which was being disputed by the informant. It is next submitted that a partition suit being T.S. No.302 of 2023 is pending adjudication in the court of learned Sub-Judge,Ist, Bettiah in between the petitioner side and the informant. It is also submitted that specific allegation of assaulting the informant is against Rana Singh and as far as this petitioner is alleged he is alleged to have assaulted the father of the informant. It is also submitted that that though informant has suffered injury, but then injury is simple in nature, the father of the informant has not suffered any injury.

5. The learned APP and the learned counsel appearing on behalf of the informant opposes the anticipatory bail application, but then are not in a position to rebut the submission of the learned counsel appearing on behalf of the petitioner that father of the informant has not suffered any injury and a partition suit is pending adjudication between the parties.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.10,000/- (Rupees



Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Ist, West Champaran, Bettiah in connection with Lauriya P.S. Case No.14 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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