

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54082 of 2024

Arising Out of PS. Case No.-151 Year-2024 Thana- WARISLIGANJ District- Nawada

1. Kundan Das S/O Sunil Das R/O Village- Sangathpar,PS-Warisaliganj, Distt-Nawada
2. Sonu Das S/O Sunil Das R/O Village- Sangathpar,PS-Warisaliganj, Distt-Nawada
3. Rohit Das S/O Sunil Das R/O Village- Sangathpar,PS-Warisaliganj, Distt-Nawada

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar
For the Opposite Party/s : Mr.Ajay Kumar Jha

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 31-08-2024 1. Learned counsel for the petitioners at the very outset submits that the petitioner no. 1 / Kundan Das has been arrested during the pendency of this anticipatory bail application. As such, he seeks permission to withdraw this application with respect to the petitioner no. 1 / Kundan Das.
2. Permission is granted.
3. Accordingly, the application for anticipatory bail in respect of the petitioner no. 1 above named is dismissed as withdrawn.
4. Heard the parties.
5. The remaining petitioner nos. 2 & 3 apprehend their arrest in connection with Warisaliganj P.S. Case No. 151 of 2024 dated



20.04.2024 registered under Sections 341, 323, 448, 504, 324, 325, 354, 379, 385, 506, 34 of the I.P.C.

6. As per the First Information Report the petitioners entered into the house of the informant, assaulted the informant and his family members, took away Rs. 50,000/- and papers related to land and a four-wheeler bearing Registration No. JH-01D-5639.

7. Learned counsel for the petitioners submits that informant is the cousin grand father of the petitioner nos. 2 & 3 and there is previous land dispute between them. A title suit bearing Partition Suit No. 28 of 2016 between the parties is pending in the court of learned Sub Judge 1st Nawada. Injury caused to the informant and his family members are simple in nature as would be evident from Annexure- 2 Series.

8. On the other hand, learned counsel for the informant opposed the prayer for bail and submits that entire family members including the informant were assaulted by the petitioners and their father i.e. the co-accused / Sunil Das. There is land dispute between the parties and since the informant has only two daughters, they want to grab the land of the informant.

9. Regard being had to the submission made by the parties, taking into consideration the nature of allegation, the fact that both the parties are co-sharers, partition suit is pending between



them and injury caused to the victims are simple in nature, as such, I am inclined to grant anticipatory bail to the petitioner nos. 2 & 3.

10. Let the petitioner nos. 2 & 3, 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) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Nawada in connection with Warisaliganj P.S. Case No. 151 of 2024 subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

praful/-

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

