

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56807 of 2024

Arising Out of PS. Case No.-1151 Year-2023 Thana- ALAMGANJ District- Patna

Megha Kumari DAUGHTER OF PRADIP KUMAR Resident of Alamganj Chowki, Kedarnath math, PS- Alamganj ,District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 57171 of 2024

Arising Out of PS. Case No.-1151 Year-2023 Thana- ALAMGANJ District- Patna

Harishankar Kumar @ Pappu Kumar Son of Ram Balak Ram Resident of Sakuntala Niwas, Pragati Nagar, I.O.C., Road Sipara, P.S.- Beur, District- Patna AT PRESENT - R/O - ALAMGANJ CHOWKI, KEDARNATH MATH, P.S.- ALAMGANJ, DIST- PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 56807 of 2024)
For the Petitioner/s : Mr. Arvind Kumar Pradhan
For the Opposite Party/s : Mr. Tarun Prasad Mandal
(In CRIMINAL MISCELLANEOUS No. 57171 of 2024)
For the Petitioner/s : Mr. Arvind Kumar Pradhan
For the Opposite Party/s : Mr. Tarun Prasad Mandal

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 204-09-2024
1. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail, arises out of Alamganj Police Station Case No. 1151 of 2023, disclosing offences under Sections 341, 323, 307, 379, 354,



354(ka), 354(kha), 448, 504, 34 of the Indian Penal Code.

3. As per the First Information Report, on 16.12.2023, while the informant was alone at her home, her elder brother-in-law and petitioner in Cr. Misc. No. 57171 of 2024 i.e., Pappu Kumar assaulted her and misbehaved with her and also tore the blouse of the informant. It has further been alleged that the petitioner Megha Kumari along with Kusum Devi started abusing the informant. In the meanwhile, when Munna Kumar intervened, the petitioner of Cr. Misc. No. 57171 of 2024 i.e., Pappu Kumar assaulted him on his head by means of iron rod. When the informant, in order to save her prestige, pushed co-accused Pradeep Kumar, he fell on brick due to which Pradeep Kumar sustained injury.

4. Learned Counsel for the petitioners submits that a false and concocted case has been lodged by the informant due to land dispute between the parties. Both the parties are agnates and there is a property dispute between them. A counter case has been lodged by the side of the petitioner bearing Alamganj P.S. Case No. 1152 of 2023 against the informant and others. The co-accused Pradeep Kumar has sustained injury in the assault made by the side of the informant. From perusal of the injury report, only injury of informant has been brought on record



which is simple in nature. No injury caused to Munna Kumar has been brought on record by the prosecution.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the nature of allegation and the fact that both the parties are co-sharers, there is land dispute them, case and counter case is also there and injury caused to the informant is simple in nature, I am inclined to grant the petitioners privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let the petitioners, above named, in the event of their 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 Additional Chief Judicial Magistrate-IV, Patna City, in connection with Alamganj Police Station Case No. 1151 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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