

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56497 of 2024

Arising Out of PS. Case No.-320 Year-2022 Thana- SAHEBPUR KAMAL District-
Begusarai

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Gunjan Rai, Son of Chhatri Rai, Resident of Village-Raghunathpur, P.S.-
Sahebpur Kamal, Distt.- Begusarai

... .. Petitioner

Versus

The State of

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sabal Kumar Jha, Advocate
For the Opposite Party/s : Mr. Narendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 13-09-2024 Heard learned counsel appearing on behalf of

the petitioner and learned counsel appearing on behalf of

the State.

2. The accused/petitioner is named in the F.I.R.

and apprehending his arrest in connection with Sahebpur

Kamal P.S. Case No. 320 of 2022 registered for the

offences punishable under Sections 120-B, 147, 148,

149, 379, 427, 337, 420, 467, 468 and 471 of the

Indian Penal Code.

3. The allegation against the petitioner is to

open indiscriminate firing upon informant along with 33

named and 20 unknown co-accused persons, where



occurrence arises out of previous land dispute with further allegation that accused person including the petitioner took away cash of Rs. 25,000/- (Rupees Twenty-five Thousand only) from the elder brother of the informant and also snatched golden chain from him.

5. It is submitted by Mr. Sabal Kumar Jha, learned counsel appearing on behalf of the petitioner that petitioner has been falsely implicated with the present case out of land dispute arises from a piece of land, bearing Khasra No. 305, 308, 711, 712 and 713 situated in village-Raghunathpur, where both parties appears to be agnate. It is submitted that allegation is appearing very much general and omnibus against the petitioner. It is also submitted that similarly situated co-accused persons, namely, Nepal Rai and Sintu Rai have already granted anticipatory bail by learned Co-ordinate Benches of this Court through Cr. Misc. No. 80224 of 2023 vide order dated 18.12.2023 & Cr. Misc. No. 83156 of 2023 vide order dated 08.01.2024,



respectively. It is also submitted that co-accused persons, namely, Babulal Rai, AvdeshKumar, Nitish Kumar @ Rajeev Kumar, Gulshan Kumar @ Kargi, Jitan Rai @ Jitendra Rai and Chunchuna Rai have also granted anticipatory bail by this Court vide order dated 10.05.2024 passed in Cr. Misc. No.78267 of 2023.

6. Learned APP while opposing the prayer of bail submitted that petitioner actively participated in alleged occurrence.

7. In view of the facts and circumstances as mentioned above and by taking note of nature of allegation, which is appearing very much general and omnibus against the petitioner, arising out of land dispute, accordingly, above-named petitioner, in the event of his arrest or surrender before the Trial Court within a period of four weeks, is directed to be released on bail, furnishing bail bond 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-IV, Begusarai/concerned Court where the case is pending in connection with Sahebpur Kamal P.S. Case No. 320 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./under Section 482(2) of B.N.S.S.

(Chandra Shekhar Jha, J.)

Sanjeet/-

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