

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57914 of 2023

Arising Out of PS. Case No.-276 Year-2023 Thana- BRAHMPUR District- Buxar

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1. RAMLAGAN PASWAN Son of Gahuman Paswan Resident of village - Kapurpur, P.s. - Brahmpur, Distt. - Buxar
 2. Satyadev Paswan @ Satdev Paswan Son of Gahuman Paswan Resident of village - Kapurpur, P.s. - Brahmpur, Distt. - Buxar

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Shankar Pathak

For the Opposite Party/s : Mr. Arvind Kumar Pandey (APP)

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 4 27-02-2024 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 Brahmpur Police Station Case No. 276 of 2023, dated 14.05.2023, disclosing offences under Sections 147/148/149/341/323/325/307/379/354-A/504 of the Indian Penal Code.
3. In the First Information Report, the informant has alleged that in the title suit, the decree of the subject land was awarded in favour of the informant and despite the same, on 14.05.2023, all the accused persons arrived at the land and started constructing a boundary wall. Upon objection



being raised, the accused persons assaulted the family members of the informant due to which they sustained injuries.

4. Learned Counsel for the petitioner submits that there is previous enmity between the parties due to land dispute and case and counter case is also there inasmuch as the side of the petitioners has lodged Brahmpur Police Station Case No. 275 of 2023 against the informant and others, which is prior to the First Information Report lodged by the informant. He further submits that from the side of the petitioners six persons received injury and likewise, from the side of the informant six persons sustained injuries. The injury caused to the victims are simple in nature except injury caused to Chhotelal Sharma, which is shown to be grievous in nature. He next submits that allegation against the petitioners is general and omnibus in nature.
5. Learned counsel for the State vehemently opposes the prayer for bail and submits that injuries of other victims are simple in nature, but Chootelal Sharma has sustained grievous injury near the right elbow joint.
6. Regards being had to the submissions made on behalf of



the parties and taking into consideration the fact that there is land dispute between the parties, case and counter case is also there and injury caused to the victims are simple in nature except one grievous injury, which is on non-vital party of the body, I am inclined to grant the petitioners privilege of anticipatory bail.

- 7. This application is, accordingly, allowed.
- 8. 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, Buxar, in connection with Brahmpur Police Station Case No. 276 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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