

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65596 of 2024

Arising Out of PS. Case No.-528 Year-2023 Thana- KESARIA District- East Champaran

Shatrunjay Singh @ Shatrunjay Kumar Son of Late Baban Singh Resident of
Village- Kadhan, P.S.- Kesariya, Dist.- East Champaran, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Fakhruddin Ali Ahmad

For the Opposite Party/s : Mr. Syed Mojibur Rahman

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 21-10-2024 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Kesariya Police Station Case No. 528 of 2023, dated 08.11.2023, disclosing offences under Sections 341/323/324/379/307/504/506/34 of the Indian Penal Code.
3. The prosecution case, as per the First Information Report, is that on 29.10.2023, in the afternoon, while the informant was ploughing his field, the petitioner, along with other accused persons, assaulted the informant and demanded extortion money and also snatched golden chain and money from the pocket of the informant. On 30.10.2023, except the petitioner, all other accused



persons assaulted the informant on his head due to which he sustained injury.

4. Learned Counsel for the petitioner submits that from perusal of the First Information Report, it would be evident that the petitioner was not involved in the assault allegedly made to the informant. He next submits that the only allegation is that on 29.10.2023, the petitioner, along with other accused persons, demanded extortion and snatched golden chain, etc. from the informant. He next submits that there is considerable delay in lodging the First Information Report inasmuch as the occurrence took place on 29.10.2023 and 30.10.2023, but First Information Report has been lodged after delay of 08 days. He further submits that the offence under Section 307 is not made out against the petitioner as there is no allegation of assault against him in the First Information Report. The petitioner is not having any criminal antecedent and he has been made accused due to land dispute between the parties.
5. Having regard to the submissions made on behalf of the parties and taking into consideration the nature of allegation in the First Information Report and the fact that



there is land dispute between the parties, I am inclined to grant the petitioner privilege of anticipatory bail.

- 6. This application is, accordingly, allowed.
- 7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, East Champaran, in connection with Kesariya Police Station Case No. 528 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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