

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61780 of 2024

Arising Out of PS. Case No.-668 Year-2022 Thana- MAHUA District- Vaishali

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1. Usha Devi, wife of Rama Shankar Rai, village- Bakarpur Vilanpur, P.S.- Mahua, District- Vaishali
 2. Raunak Kumar @ Jitendra Ray, son of Rama Shankar Rai, village- Bakarpur Vilanpur, P.S.- Mahua, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Singh

For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 17-10-2024 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 Mahua Police Station Case No. 668 of 2022, dated 23.10.2022, disclosing offences punishable under Sections 341/323/324/307/354/379/504/506/34 of the Indian Penal Code.
3. The prosecution case, as per the First Information Report, is that on 19.10.2022, all the named accused persons, including the petitioners, demolished the boundary wall behind his house and took away household articles along with them. On protest, they became angry and demanded a sum of Rs. 5,00,000/-. The allegation against the



petitioner no. 1 is that she pulled the informant's wife with her hair, threw her on the ground and assaulted her and the allegation against the petitioner no. 2 is that he assaulted the informant by means of lathi and hasua sickle).

4. Learned Counsel for the petitioners submits that both the parties are co-sharers and next door neighbours and there is land dispute between them since long. He further submits that there is case and counter case inasmuch as Mahua Police Station Case No. 670 of 2022, under Section 341/323/324/307/354-B/379/427/504/506/ 34 of the Indian Penal Code was lodged by the husband of petitioner no. 1 against the informant and others. The nature of injury caused to the victim has not been brought and in the impugned order, it has only been said that the nature of injury is serious.
5. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that both the parties are co-sharers and there is previous land dispute between them, 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 a period of four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class,, Vaishali, at Hajipur, in connection with Mahua Police Station Case No. 668 of 2022, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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