

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63957 of 2024

Arising Out of PS. Case No.-141 Year-2023 Thana- PIRO District- Bhojpur

Shri Ramshah @ Shriman Kumar Son of Ram Nath Shah Resident of Village
- Piro Ward No. 14, P.S. - Piro, District - Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Ranjeet Kumar Singh, Advocate
For the State : Mr. Anuj Kumar Shrivastava, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 30-09-2024 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 341, 323, 307, 504 and 34 of the Indian Penal Code.

3. As per prosecution case, on the alleged date and time of occurrence, while the informant was sitting on his medical shop, in the meantime, all the F.I.R. named accused persons, including this petitioner, armed with weapons, came there and forcibly started construction on the land of informant. Upon protest, all the accused persons became angry and assaulted informant and his brother-in-law as a result of which they sustained several injuries.

4. It is submitted by learned counsel appearing on



behalf of the petitioner that petitioner is innocent and has falsely been implicated in this case. As a matter of fact, on the alleged date and time of occurrence, on account of admitted land dispute between the parties, a free fight took place in which both sides sustained injuries. There is case and counter-case between the parties. Allegation of assault is general and omnibus. There is no specific accusation of overt act against this petitioner. Petitioner claims clean antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, nature of accusation, case and counter-case between the parties and clean antecedents of the petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner be enlarged 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 Chief Judicial Magistrate, Bhojpur at Ara, in connection with Piro P.S. Case No. 141 of 2023, subject to condition as laid down under Section 438(2) of



the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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