

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62692 of 2023

Arising Out of PS. Case No.-52 Year-2023 Thana- BARHARA District- Bhojpur

BANARSI BIND @ BANARSI MAHTO SON OF BHOLA BIND @
BHOLA MAHTO RESIDENT OF VILLAGE- CHATAR, PS- BARHARA,
DISTT- BHOJPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar, Advocate

For the Opposite Party/s : Mr.Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 29-02-2024 1. Heard learned Counsel for the petitioner and
learned APP for the State.
2. This application, for grant of anticipatory bail,
arises out of Barhara PS case no. 52 of 2023, disclosing
offences punishable under Sections 147, 149, 385, 341, 323,
307, 379 of the Indian Penal Code.
3. The prosecution story, as per the First
Information report, is that the petitioner allegedly assaulted
the informant along with one other person by means of lathi
and danda on the head of the informant while he was sitting
near a temple.
4. Learned Counsel for the petitioner submits that
both the parties are co-villagers and there was dispute



between them. He further submits that a counter case has also been lodged from the side of the petitioner against the informant and others for an occurrence which has taken place on the same date and time. He next submits that the FIR lodged from the side of the petitioner is Barhara PS case no. 53 of 2023 dated 02.02.2023. He also submits that no injury report has been brought on record by the prosecution before the learned Additional Sessions Judge, however, the good sense has prevailed between both the parties and they have arrived at an amicable settlement/ compromise.

5. Regard being had to the submissions made on behalf of the parties and taking into consideration the fact that both the parties are co-villagers, there is a case and counter case between them, no injury report has been brought by the prosecution and similarly situated co-accused Raju Bin @ Raju Bind has been granted anticipatory bail by this Court in Cr. Misc. no. 64073 of 2023, I am inclined to grant the privilege of anticipatory bail to the petitioner.

6. This application is, accordingly, allowed.

7. Let petitioner, abovenamed, 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) with two sureties of the like amount each to the satisfaction of learned C.J.M., Ara, Bhojpur in connection with Barhara PS case no. 52 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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