

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66556 of 2024

Arising Out of PS. Case No.-121 Year-2024 Thana- RAJEPUR District- East Champaran

Surenra Rai S/o Kisundev Rai R/o Village- Mal Madhuaha, P.S.- Rajepur,
District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 07-10-2024 1. Heard learned counsel for the petitioner and the
learned APP for the State.

2. The petitioner apprehends his arrest in connection
with Rajepur P.S. Case No. 121 of 2024 dated 16.06.2024
registered for the offence(s) punishable under Section(s) 341,
323, 324, 307, 504, 506 read with Section 34 of the Indian Penal
Code.

3. The main submissions advanced by the learned
counsel for the petitioner are that the FIR in itself shows that in
between the petitioner and the prosecution party there is a land
dispute and as per the allegation, at first an incident of abusing
took place in between both the parties which led to the
commission of other occurrence of *marpeet* and the petitioner is
simply alleged to have assaulted by means of *lathi and danda*



but the said allegation is vague and further on the person of the informant, who is said to be the main injured, only three simple injuries were found. It is further submitted that though against this petitioner there are criminal antecedents of three cases but he is on bail in all the said cases.

4. Learned APP appearing for the State has opposed the bail prayer of the petitioner.

5. Considering the facts and circumstances of this case as well as the above submissions and mainly the fact that in between both the parties there is a land dispute which is said to be the genesis of the occurrence and the main allegation is against co-accused Birender Rai and as per above submission on the person of informant who is said to be the main injured simple injuries were found and further the alleged occurrence is not said to have been committed in a planned manner and the same appears to have happened in the spur of moment, in my opinion, in the said circumstances, the petitioner deserves to the privilege of anticipatory bail. Accordingly, let the petitioner named-above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail in connection with Rajepur P.S. Case No. 121 of 2024 on furnishing bail bond of Rs. 20,000/-



(Twenty Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Shailendra Singh, J)

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