

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71868 of 2024

Arising Out of PS. Case No.-158 Year-2020 Thana- MOTIHARI MUFASIL District- East
Champaran

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Shambhu Nath Singh S/o Late Yamuna Singh Resident of Village- Basatpur,
P.S- Motihari Muffasil, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shakil Ahmad Khan, Advocate
For the Opposite Party/s : Mr. Jagdhar Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 228-10-2024
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 Muffasil Police Station Case No. 158 of 2020, disclosing offences under Sections 302, 379, and 34 of the Indian Penal Code.

3. The prosecution case, as per the First Information Report is that on 06.04.2020, in the evening, the petitioner along with other accused persons arrived at the house of the informant, started abusing and when objected by the father of the informant, the petitioner along with other accused persons, started assaulting the informant's father and co-accused persons Sanjeet Singh, and Murari Singh



pressed his neck. It has been further alleged that petitioner snatched Rs. 1000/- from the pocket of the informant's father.

4. Learned counsel for the petitioner submits that there is previous land dispute between the parties. He further submits that petitioner is 82 years old and was not capable to move but the entire family members have been made accused with oblique motive, petitioners and deceased are full brothers. He further submits that from the postmortem examination report death could not be ascertained.
5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that, there is no allegation of assault against the petitioner and the petitioner is said to be order giver and is 82 years old and was not capable to move, 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 Chief Judicial



Magistrate, East Champaran, Motihari, in connection with
Muffasil Police Station Case No. 158 of 2020, subject to
the condition laid down under Section 438 (2) of the Code
of Criminal Procedure.

(Anil Kumar Sinha, J)

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