

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77326 of 2024

Arising Out of PS. Case No.-237 Year-2023 Thana- UCHKAGAON District- Gopalganj

Monu Mishra @ Manish Kumar Mishra Son of Shiv Kumar Mishra Resident
of Village - Luhasi, P.S. - Uchkagaon, District - Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Kumar Singh

For the Opposite Party/s : Mr.Ram Bilash Roy Raman

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 21-11-2024 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 Uchkagaon Police Station Case No. 237 of 2023, dated 26.06.2023, disclosing offences punishable under Sections 341/323/326/307/504/506/34 of the Indian Penal Code.
3. The prosecution case, as per the First Information Report, is that on 26.06.2023, the petitioner, along with other co-accused persons, arrived at the place of occurrence, assaulted the informant and it has been alleged that the petitioner assaulted the informant by means of sharp-cutting iron weapon on the head of the informant, due to which he sustained head injury.



4. Learned Counsel for the petitioner submits that both the parties are agnates/co-sharers and are neighbour also. There is previous land dispute between them and a counter case has been lodged by the side of the petitioner, bearing Uchkagaon Police Station Case No. 236 of 2023 against the informant and his family members, which is prior in time to the present First Information Report. Referring to the injury report, learned Counsel submits that the injuries are simple in nature, caused by hard and blunt substance; whereas the allegation of assault is by means of sharp cutting iron weapon.
5. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that both the parties are agnates/co-sharers, there is land dispute between them, case and counter case is also there and injuries caused to the informant is simple in nature, 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 a period of four weeks from today, 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 Additional Chief Judicial Magistrate-XII, Gopalganj, in connection with Uchkagaon Police Station Case No. 237 of 2023, 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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