

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73971 of 2024

Arising Out of PS. Case No.-245 Year-2024 Thana- KONCH District- Gaya

Raj Kumar Prasad S/O Ram Sharan R/O Village- Parsawan ,P.S- Konch,
Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prithivi Raj Singh

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 12-11-2024 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 Konch Police Station Case No. 245 of 2024, dated 10.06.2024, disclosing offences punishable under Sections 147/149/341/323/307/504/506 of the Indian Penal Code.
3. The prosecution case, as per the First Information Report, is that on 10.06.2024, the informant, along with his cousin brother, was sitting at his door, in the mean while, his neighbour, Shiv Kumar Prasad, along with other accused persons, including the petitioner, arrived there with lathi, danda, iron-rod, surrounded the cousin brother of the informant, abused him and assaulted him with lathi,



danda and iron-rod.

4. Learned Counsel for the petitioner submits that from perusal of the First Information Report, it would be evident that there was land dispute between co-accused Shiv Kumar Prasad and the cousin brother of the informant and the occurrence has taken place due to land dispute and co-accused was constructing a hut upon the disputed land. He further submits that the allegation against the petitioner and others is general and omnibus in nature and from perusal of the impugned order, it appears that the injury has been discussed by the learned 14th Additional Sessions Judge, Gaya, but it is not described as grievous injury. A counter case has been lodged by the side of the petitioner against the informant and others, bearing Konch Police Station Case No. 246 of 2024.
5. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that there is previous land dispute between the parties, case and counter case is there and injuries caused to the cousin brother of the informant does not appear to be grievous 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 Chief Judicial Magistrate, Gaya, in connection with Konch Police Station Case No. 245 of 2024, 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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