

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76405 of 2024

Arising Out of PS. Case No.-137 Year-2024 Thana- AGION (GARHANI) District- Bhojpur

1. Golu Kumar Son of Chandeshwar Singh @ Chandeshwar Singh Village- Lashari PS- Agiaon Garahani, District- Bhojpur
2. Chandeshwar Singh @ Chandeshwar Singh Yadav son of Late Moti Singh Village- Lashari PS- Agiaon Garahani, District- Bhojpur
3. Pramod Kumar son of Chandeshwar Singh @ Chandeshwar Singh Yadav Village- Lashari PS- Agiaon Garahani, District- Bhojpur
4. Radhika Devi son of Chandeshwar Singh @ Chandeshwar Singh Yadav Village- Lashari PS- Agiaon Garahani, District- Bhojpur
5. Subodh Kumar son of Chandeshwar Singh @ Chandeshwar Singh Yadav Village- Lashari PS- Agiaon Garahani, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar, Advocate
For the Opposite Party/s : Mr.Rajiv Nayan, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 14-11-2024 1. Heard learned Counsel for the petitioners and learned APP for the State.
2. This application, for grant of anticipatory bail, arises out of Agiaon (Garahani) PS case no. 137 of 2024, disclosing offences punishable under Section 352 and other allied sections of B.N.S. 2023.
3. The prosecution story, as per the First Information Report, is that on 27.07.2024, when the informant had gone towards his field, all accused persons/ petitioners surrounded



him and started abusing and on protest, petitioner no. 1 assaulted the family member of the informant namely Lilawati Devi by lathi, petitioner no. 2 assaulted Aratiya Kumari and Vishal Kumar by rod, petitioner no. 3 assaulted Nitish Kumar by lathi, petitioner no. 4 assaulted Phuljharo Devi by fists and slaps and petitioner no. 4 assaulted the informant by rod.

4. Learned Counsel for the petitioners submits that both parties are agnates and there was land dispute between them. A counter case has been lodged by the side of the petitioners bearing Agiaon (Garahani) PS case no. 137 of 2024. Learned counsel further submits that though some of the victims have sustained grievous injury but the same is not on the vital parts of the body. Injury caused by petitioner no. 2 to Vishal Kumar is fracture of ulna bone and injury caused by petitioner no. 4 to Phuljharo Devi is the fracture of nostril bone. He also submits that petitioner no. 4 is a lady. Lastly, he submits that both parties have entered into compromise and a compromise petition has been filed before the C.J.M. Bhojpur at Ara in both the cases.

5. Regard being had to the submissions made on behalf of the parties and taking into consideration that both parties are agnates, there is land dispute between them and case



and counter case is also existing, I am inclined to grant the privilege of anticipatory bail to the petitioners.

6. This application is, accordingly, allowed.

7. Let petitioners, abovenamed, in the event of their 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 A.C.J.M.-VIII, Bhojpur at Ara in connection with Agiaon (Garahani) PS case no. 137 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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