

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77193 of 2024

Arising Out of PS. Case No.-50 Year-2024 Thana- BALTHAR District- West Champaran

1. Pyare Lal Patwa Son of Chunni Lal Patwa Village- Kalibag ,ward no.10, P.S. Kalibag, District West Champaran ,Bettiah, Kalibag Chanpatiya P.s.- Bettiah, Bihar, Bharat
2. Prabha Devi Wife of Pyare Lal Patwa Village- Kalibag ,ward no.10, P.S. Kalibag, District West Champaran ,Bettiah, Kalibag Chanpatiya P.s.- Bettiah, Bihar, Bharat
3. Rajan Kumar @ Sanjay Kumar Patwa @ Ranjan Kumar Patwa @ Sanjay Kumar Son of Pyare Lal Patwa Village- Kalibag ,ward no.10, P.S. Kalibag, District West Champaran ,Bettiah, Kalibag Chanpatiya P.s.- Bettiah, Bihar, Bharat
4. Pintu Kumar @ Ajit Kumar Patwa Son of Pyare Lal Patwa Village- Kalibag ,ward no.10, P.S. Kalibag, District West Champaran ,Bettiah, Kalibag Chanpatiya P.s.- Bettiah, Bihar, Bharat
5. Raja Kumar Patwa @ Amit Kumar Patwa Son of Pyare Lal Patwa Village- Kalibag,ward no.10, P.S. Kalibag, District West Champaran ,Bettiah, Kalibag Chanpatiya P.s.- Bettiah, Bihar, Bharat
6. Sanju Kumar @ Aakash Kumar Patwa Son of Pyare Lal Patwa Village- Kalibag ,ward no.10, P.S. Kalibag, District West Champaran ,Bettiah, Kalibag Chanpatiya P.s.- Bettiah, Bihar, Bharat

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Rajani Kumari, Advocate
For the Opposite Party/s : Mr.Ram Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 20-11-2024 1. Heard learned Counsel for the petitioners and learned APP for the State.
2. This application, for grant of anticipatory bail, arises out of Balthar PS case no. 50 of 2024, disclosing offences punishable under Sections 307, 354(B) and other allied sections



of the Indian Penal Code.

3. The prosecution story, as per the First Information Report, is that on 29.04.2024, the petitioners along with other accused persons having lathi, danda and rod came, started assaulting the family members of the informant and outraging the modesty of her daughter-in-law. In the incident, 05 persons sustained injury.

4. Learned Counsel for the petitioners submits that due to land dispute between the family members of two sisters, the present F.I.R. has been lodged. Learned counsel further submits that there is land dispute between the parties and a title suit bearing Title Suit No. 103 of 2021 is pending between the parties. A counter case has also been lodged by the side of the petitioners bearing Balthar PS Case No. 51 of 2024. Referring to injury report, annexed as Annexure-2 series, learned counsel submits that injuries caused to the victim are simple in nature.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that both the parties are on loggerhead for property and title suit is pending between them, counter case is also lodged and injuries caused to the victims are simple in nature, 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 six 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 Judicial Magistrate, Bettiah, West Champaran in connection with Balther PS case no. 50 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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