

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76958 of 2024

Arising Out of PS. Case No.-223 Year-2024 Thana- ARA MUFFSIL District- Bhojpur

1. Anish kumar S/O Arvind Singh Resident of Village Bhel Dumra, P.S.- Ara Muffasil, District Bhojpur
2. Ajay Singh S/O Late Tapnarayan Singh Resident of Village - Bhel Dumra, P.S. - Ara Muffasil, District Bhojpur.
3. Manoj Kumar Singh @ Amer Singh @ Manoj Singh S/O Shiv Kumar Singh Resident of village - Dhobahan , P.S- Dhobahan O.P, District Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raju Kumar Singh
For the Opposite Party/s : Mr.Anil Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 13-12-2024 1. Heard the parties.

2. The petitioners apprehend arrest in connection with Ara Muffasil P.S. Case No. 223 of 2024 registered under Sections 191(2), 191(3), 190, 126(2), 115(2), 109, 303(2), 352, 351(2) B.N.S.

3. The prosecution case as per the first information report is that on 29.07.2024 the petitioners and other accused persons along with 20 unknown persons armed with various weapons arrived at the land of the informant bearing khata no. 179, plot no. 453 ad-measuring an area of 26 decimal in order to take possession and started construction. Upon protest, the accused



persons attacked the informant and the petitioner no. 1 alongwith the co-accused / Viswajeet Singh pulled him on the ground and pressed his neck. The petitioner no. 2 / Ajay Singh assaulted him with “danda” and the petitioner no. 3 / Manoj Kumar Singh @ Amer Singh @ Manoj Singh fired from the pistol. Subsequently, the petitioners and other accused persons assaulted the informant and his brother- Ramkishun Singh by means of iron rod due to which they sustained injuries.

4. Learned counsel for the petitioners submits that the petitioners along with entire family members have been made accused in this case due to previous land dispute between the parties. He next submits that Title Suit No. 523 of 2002 is being contested between the parties along with other cases under Section 133 and 147 of the Code of Criminal Procedure. He also submits that a counter case has been lodged by the side of the petitioners bearing Ara Muffasil P.S. Case No. 222 of 2024 against the informant and others in which the side of the petitioners has also sustained injuries. He next submits that similarly situated co-accused / Viswajeet Singh has been granted anticipatory bail by this court in Cr. Misc. No. 77099 of 2024. The petitioners have got no criminal antecedent.

5. Regard being had to the submission made by the parties,



taking into consideration the nature of allegation, the fact that similarly situated co-accused has been granted anticipatory bail and the petitioners are having no criminal antecedent, as such, I am inclined to grant anticipatory bail to the petitioners.

6. Let the petitioners, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of A.C.J.M. VII, Bhojpur at Ara in connection with Ara Muffasil P.S. Case No. 223 of 2024 subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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