

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75806 of 2023

Arising Out of PS. Case No.-522 Year-2023 Thana- HAJIPUR SADAR District- Vaishali

MANOJ RAI S/O SRI JALESHWAR RAI VILLAGE- DAULATPUR
DEVARIYA, PS. HAJIPUR SADAR, DIST. VAISHALI AT HAJIPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 77661 of 2023

Arising Out of PS. Case No.-522 Year-2023 Thana- HAJIPUR SADAR District- Vaishali

1. SANTOSH RAI SON OF LATE JALESHWAR RAI RESIDENT OF VILLAGE- DAULATPUR DEVARIYA, PS- HAJIPUR SADAR, DISTT- VAISHALI AT HAJIPUR
2. SUBODH KUMAR SON OF LATE JALESHWAR RAI RESIDENT OF VILLAGE- DAULATPUR DEVARIYA, PS- HAJIPUR SADAR, DISTT- VAISHALI AT HAJIPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 75806 of 2023)
For the Petitioner/s : Mr.Navjot Yesu, Advocate
For the Opposite Party/s : Mr.Pramod Kumar Pandey, APP
(In CRIMINAL MISCELLANEOUS No. 77661 of 2023)
For the Petitioner/s : Mr.Navjot Yesu, Advocate
For the Opposite Party/s : Mr.Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 307-03-2024
1.

Heard learned Counsel for the petitioners and learned APP for the State.
2.

This application, for grant of anticipatory bail, arises out of Hajipur Sadar PS case no. 522 of 2023, disclosing



offences punishable under Section 307 and other allied sections of the Indian Penal Code.

3. The prosecution story, as per the First Information Report, is that on 29.06.2023, the accused persons including the petitioners were unloading bricks for construction of house on the land of the informant and upon objection being made by the informant, all the accused persons assaulted him by means of lathi, iron rod, bricks etc. When the daughter of the informant intervened, petitioner in Cr. Misc. no. 75806 of 2023 namely Manoj Rai assaulted the informant's daughter by means of iron rod on her head, due to which, she sustained injury. It has further been alleged that Amod Rai, Santosh Rai and Subodh Rai snatched golden chain from the neck of informant's daughter.

4. Learned Counsel for the petitioners submits that both the parties are co-villagers and there is land dispute between them, as would be evident from FIR itself. Referring to the injury report of informant and his daughter, learned counsel submits that no injury has been found on the person of the victims by the doctor.

5. Learned counsel for the State, referring to the case diary, accepts the submission made by learned counsel for the



petitioner regarding nature of injury.

6. Regard being had to the submissions made on behalf of the parties and taking into consideration the fact that both parties are co-sharers, there is land dispute between them and injuries caused to the victims are not serious, I am inclined to grant the privilege of anticipatory bail to the petitioners.

7. This application is, accordingly, allowed.

8. 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 C.J.M., Vaishali at Hajipur in connection with Hajipur Sadar PS case no. 522 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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