

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78626 of 2023

Arising Out of PS. Case No.-24 Year-2023 Thana- PIPRASI District- West Champaran

VINOD BIN @ VINOD PRASAD S/O RADHESHYAM PRASAD BHARI
STHAN, MANJHARIYA, WARD NO. 11, PS. PIPRASI, DIST. WEST
CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramendra Kumar Bharti

For the Opposite Party/s : Mr. Murli Dhar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 10-01-2024 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 Piprasi Police Station Case No. 24 of 20182023 disclosing offences under Sections 341, 342, 323, 325, 307, 379, 427, 448, 34 of the Indian Penal Code.
3. As per the First Information Report, on 22.04.2023, due to land dispute, all the F.I.R. named accused persons, including the petitioner, armed with *lathi*, *bhala*, iron rod etc., assaulted the informant's son. The petitioner assaulted the informant's son on his head by means of iron rod resulting in head injury.
4. Learned Counsel for the petitioner submits that there an



admitted land dispute between the parties which would be evident from the First Information Report itself. A counter case has also been lodged from the side of the petitioner bearing Piprasi P.S. Case No. 25 of 2023 for an offence which has taken place on the same date and time. Learned counsel next submits that injury caused to the informant's son is simple in nature, as would be evident from *Annexure P/2A*.

5. Learned counsel for the informant vehemently oppose the prayer for bail and submits that there is direct allegation of assault against the petitioner and the informant's son was hospitalized at Gorakhpur for about fifteen days.
6. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that there is a land dispute between the parties, case and counter case is also there, injury caused to the victim is simple in nature, I am inclined to grant the petitioner privilege of anticipatory bail.
7. This application is, accordingly, allowed.
8. Let the petitioner, Vinod Bin @ Vinod Prasad, in the event of his arrest or surrender before the Court below within four weeks, 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 Judicial Magistrate 1st Class, Bagaha, West Champaran, in connection with Piprasi Police Station Case No. 24 of 20182023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

HarshPandey/-

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