

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78803 of 2023

Arising Out of PS. Case No.-51 Year-2023 Thana- MORO District- Darbhanga

1. Lalit Bhandari Son Of Rambujhawan Bhandari R/O Village- Moro, P.S.- Moro, District- Darbhanga.
2. Bujhawan Bhandari Son Of Biltu Bhandari R/O Village- Moro, P.S.- Moro, District- Darbhanga.
3. Lalita Devi Wife Of Lalan Bhandari R/O Village- Moro, P.S.- Moro, District- Darbhanga.

... .. 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.Tarun Prasad Mandal

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 22-01-2024 Learned counsel for the petitioners is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

3. The petitioners are apprehending their arrest in connection with Moro P.S. Case No. 51 of 2023 dated 01.08.2023 registered for the offences punishable under Sections 341, 323, 448, 354, 506 and 504 read with 34 of the Indian Penal Code.

4. As per the prosecution case, the petitioners are



alleged to have entered the house of the informant and assaulted him with an iron rod causing head injury. When the informant's brother came to rescue, the accused persons assaulted him with iron rod. On *hullah*, the informant's mother and sister came to rescue, then the petitioner no. 2 assaulted them with *lathi-danda* and started pulling on the ground and threatened to kill the informant.

5. Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case on account of land dispute. The petitioners are accused in one more criminal case as stated in para 3 of the bail petition. There is a case and counter case between both the parties. Learned counsel has further submitted that the informant and the petitioners are *relatives*. No case u/s 354 is made out against the petitioners.

6. Learned A.P.P. for the State has vehemently opposed the prayer of anticipatory bail of the petitioners.

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty thousand) each with two sureties of



the like amount each to the satisfaction of learned Court concerned, Darbhanga in connection with Moro P.S. Case No. 51 of 2023, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

8. This application stands allowed.

(Chandra Prakash Singh, J)

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