

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80357 of 2024

Arising Out of PS. Case No.-47 Year-2024 Thana- AGRER District- Rohtas

1. Gautam Kumar @ Gautam Chaudhary Son of Late Birendra Chaudhary Resident of Mohalla- Lewara Pashchim Tola , PS- Nokha , Distt.- Rohtas
2. Ranjan Chaudhary Son of Vijay Chaudhary Resident of Mohalla- Lewara Pashchim Tola , PS- Nokha , Distt.- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajani Kant Singh

For the Opposite Party/s : Mr. Navin Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 06-12-2024 1. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail, arises out of Agrer Police Station Case No. 47 of 2024, disclosing offences under Sections 341, 323, 325, 147, 149, 307, 354 of the Indian Penal Code.

3. The prosecution case, as per the First Information Report, is that on 04.05.2024 at about 4:00 PM while the informant was filling soil for the purpose of road, the petitioners, along with other co-accused persons, arrived there, variously armed, abused the informant and when the informant protested, then on the order of co-accused Dharmbir Kumar and



petitioner no. 1, co-accused Anuj Chaudhary assaulted the informant by lathi due to which the fourth finger of the left hand of the informant got fractured and when Manish Kumar came to rescue him, then petitioner no. 2 assaulted him with iron rod due to which he sustained head injury.

4. Learned Counsel for the petitioners submits that the petitioners have falsely been implicated in the present case due to land dispute. No occurrence as alleged by the prosecution has taken place. A counter case has been lodged from the side of the petitioners bearing Nokha P.S. Case No. 165 of 2024 against the informant alleging therein that informant and others were forcefully trying to take possession of the khalian of the petitioners. Other co-accused persons namely Dharmbir Kumar and Anuj Chaudhary have been granted anticipatory bail in Cr. Misc. No. 67241 of 2024 vide order dated 22.10.2024.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that occurrence took place due to land dispute, there is case and counter case, injury caused to the informant is not on the vital part of the body and other co-accused persons namely Dharmbir Kumar and Anuj Chaudhary have been granted anticipatory bail in Cr. Misc. No. 67241 of 2024 vide order dated 22.10.2024, I



am inclined to grant the petitioners privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let the petitioners, above named, 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) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Sasaram, District-Rohtas, in connection with Agrer Police Station Case No. 47 of 2024, 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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