

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83609 of 2024

Arising Out of PS. Case No.-320 Year-2024 Thana- MAJHAULIA District- West Champaran

1. SUBASH CHOADHARI @ SUBHASH SAHANI S/o Ramnath Sahani @ Ramnath Choadhari R/o vill - Madhopur, P.S. - Majhauriya, Distt.- West Champaran
2. Suraj Kumar S/o Subash Choadhari @ Subhash Sahani R/o vill - Madhopur, P.S. - Majhauriya, Distt.- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sarvesh Kashyap
For the Opposite Party/s : Mr.Dinesh Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 17-12-2024 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 Majhauriya Police Station Case No. 320 of 2024, dated 10.05.2024, disclosing offences punishable under Sections 341/342/323/307/379/34 of the Indian Penal Code.
3. The prosecution case, as per the First Information Report, is that on 03.05.2024, in the night, when the informant was sleeping, due to previous enmity, the petitioners started knocking the door and when the door was opened, they put a scarf around the neck of the informant, pulled



him towards bamboo clump, tried to strangle the informant and assaulted him also by bamboo sticks.

4. Learned Counsel for the petitioners submits that the petitioners have been made accused in this case due to previous dispute between the parties relating to land. A counter case has been lodged by the wife of petitioner no. 1, bearing Majhauriya Police Station Case No. 417 of 2024 against the informant and others. The injuries caused to the informant are simple in nature, as would be evident from the injury report (Annexure 2).
5. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that both the parties are co-villagers, having land dispute, case and counter case is there and the injuries caused to the informant are simple in nature, 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 a period of four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the



satisfaction of learned Chief Judicial Magistrate, West Champaran, at Bettiah, in connection with Majhauriya Police Station Case No. 320 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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