

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81397 of 2024

Arising Out of PS. Case No.-79 Year-2024 Thana- SIWAIPATTI District- Muzaffarpur

Shyambabu Singh @ Shyambabu Mahto @ Shambabu Singh Son of Saguni Singh @ Saguni Mahto R/O Vill.- Raipatti, P.S.- Siwaipatti, Dist.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rupesh Kumar

For the Opposite Party/s : Mr. Syed Ehteshamuddin

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 11-12-2024 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 Siwaipatti Police Station Case No. 79 of 2024, disclosing offences under Sections 341, 342, 323, 324, 325, 307, 379, 504, 506, 34 of the Indian Penal Code.

3. As per the FIR, on 15.06.2024, the informant was digging soil near Lal Devi Mandir where the petitioner arrived and demanded rangdari of Rs. 25,000/- which the informant denied. On 16.06.2024, in the evening, while the informant was returning from Siwaipatti Chowk towards home, the petitioner and other accused persons, near the Lal Devi Mandir, assaulted the informant by lathi, danda and sharp cutting weapons etc. and



it has further been alleged that the petitioner assaulted the informant by means of bamboo on his head due to which he sustained injury.

4. Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in the present case due to land dispute between the parties. The petitioner is the owner of the land situated in the area where the informant along with his associates started digging the soil with the help of JCB which was opposed by the petitioner due to which, the scuffle took place between them. A counter case has been lodged by the side of the petitioner bearing Siwaipatti P.S. Case No. 80 of 2024 for an occurrence which took place on the same date and time. The petitioner has sustained fracture injury on his hand.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that there appears to be land dispute between the parties, case and counter case is also there and other accused persons have been granted anticipatory bail by the learned Sessions Judge, I am inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let the petitioner, above named, 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 Sub-Divisional Judicial Magistrate, East, Muzaffarpur, in connection with Siwaipatti Police Station Case No. 79 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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