

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81324 of 2024

Arising Out of PS. Case No.-281 Year-2024 Thana- ALOULI District- Khagaria

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1. Gayatri Devi W/o- Jiwachh Sharma Village- Chhoti Simraha PS- Alauli, Dist- Khagaria
 2. Jiwachh Sharma S/o- Tulsi Sharma Village- Chhoti Simraha PS- Alauli, Dist- Khagaria
 3. Surendra Sharma S/o-Tulsi Sharma Village- Chhoti Simraha PS- Alauli, Dist- Khagaria
 4. Abhishek Sharma S/o- Jiwachh Sharma Village- Chhoti Simraha PS- Alauli, Dist- Khagaria
 5. Rita Devi W/o- Surendra Sharma Village- Chhoti Simraha PS- Alauli, Dist- Khagaria
 6. Rupesh Sharma S/o- Jiwachh Sharma Village- Chhoti Simraha PS- Alauli, Dist- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Budhilal Yadav, Advocate
For the Opposite Party/s : Mr.Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 11-12-2024 1. Heard learned Counsel for the petitioners and learned APP for the State.
2. This application, for grant of anticipatory bail, arises out of Alauli PS case no. 281 of 2024, disclosing offences punishable under Section 126(2) and other allied sections of B.N.S. Act.
3. The prosecution story, as per the First Information Report, is that on 21.07.2024, petitioners assaulted the



informant and her sons and one family member Lal Babu.

4. Learned Counsel for the petitioners submits that both parties are agnates having land dispute and counter case has been lodged by the side of the petitioners against the informant and others bearing Alauli PS Case No. 271 of 2024. Learned counsel further submits that there is delay in lodging the F.I.R. inasmuch as the occurrence took place on 21.07.2024, however F.I.R. has been lodged on 27.07.2024. He also submits that the injuries caused to the sons of the informant are simple in nature, as would be evident from injury report, annexed as Annexure-3 to the present petition.

5. On the other hand, learned counsel for the informant vehemently opposed the prayer for bail and argued that all accused persons brutally assaulted the informant and her family members, due to which, the informant has suffered grievous injury, as would be evident from injury report.

6. Regard being had to the submissions made on behalf of the parties and taking into consideration the nature of allegation and the fact that both parties are agnates having land dispute and there is case and counter case between the parties, I am inclined to grant the privilege of anticipatory bail to the petitioners.



7. This application is, accordingly, allowed.
8. Let petitioners, abovenamed, in the event of their arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria in connection with Alauli PS case no. 281 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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