

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85081 of 2024

Arising Out of PS. Case No.-337 Year-2024 Thana- BAHADURPUR District- Patna

1. Shashi Kumar @ Budhan @ Shashi Vikash @ Pappu Son of Late Raghubansh Singh R/O-Village-Bahadurpur, Post Office-Rajendra Nagar, Police Station-Bahadurpur, District-Patna.
2. Manish Kumar Son of Harendra Singh Resident of Village-Gandhi Tola, Daulatpur, Police Station-Gaurichak, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Krishna Prasad Singh, Sr. Adv. With Mr. Amit Kumar, Adv.
For the Opposite Party/s	:	Mr. Anil Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 11-12-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners are apprehending arrest in connection with Bahadurpur P.S. Case No. 337 of 2024 registered for the offences punishable under Sections 191(2), 115(2), 126(2), 117(2), 109, 303(2), 352, 351(2), 74, 76 of the B.N.S.

3. As per prosecution case, the informant has been constructing a new house on his own land in the area of Saketpuri. On 13.08.2024 at about 01.30 P.M., petitioners and others, armed with hockey stick, iron rod, farsa, sharpen knife and pistols, came at the spot and demolished the half



constructed building. It is alleged that at the behest of co-accused Saroj Singh, informant was attacked, as a result of which, he suffered grievous injuries on his head and wrist. It is further alleged that co-accused Amit @ Rahul Kumar thrashed his wife, abused her and tore her clothes and snatched Rs. 45,000/-.

4. Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence as alleged in the first information report and they have been falsely implicated in this case. There is admitted land dispute between the parties and in that regard Title Suit No. 101 of 2024 (Annexure-P2) is pending in the Court of Sub Judge I, Patna City. It is submitted that in the case of land dispute facts are generally exaggerated in order to make the offence graver. The injury sustained by the informant is simple in nature. It is further submitted that there is allegation in the F.I.R. that informant suffered several injuries on different parts of his body which is totally inconsistent with the injury report, as contained in Annexure-P5, which reflects only one injury. There is no specific allegation against the petitioners. The allegations levelled are vague and general. Petitioners bear criminal antecedent of one case in which they are on bail.



5. The learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail of the petitioners.

6. Considering the facts and circumstances of the case, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioners, above named, in the event of arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Patna in connection with Bahadurpur P.S. Case No. 337 of 2024, subject to the conditions as laid down under section 482(2) of the B.N.S.S.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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