

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5340 of 2024

Arising Out of PS. Case No.-511 Year-2023 Thana- BASANTPUR District- Siwan

Dudhnath Singh S/O LATE AMBIKA SINGH VILLAGE- SIPAH, PS.
BASANTPUR, DIST. SIWAN-841406.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Jeetendra Narayan, Advocate
For the Opposite Party/s :	Mr. Md. Ataur Rahman, APP
For the Informant :	Mr. Shashi Kumar Sharma, Advocate
	Mr. Pritish Ranjan, Advocate

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 21-03-2024 Heard learned counsel for the petitioner and learned A.P.P.

for the State assisted by learned counsel for the informant.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 307, 427, 379 and 504/34 of the Indian Penal Code.

3. The petitioner is said to have assaulted the informant by means of Sawal due to which he sustained injuries.

4. It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He has been falsely implicated in this case. It is further submitted that there is admitted land dispute between the parties. Both sides have filed cases against each other. It is further submitted that as a matter of fact informant's side has brutally assaulted the



petitioner and his wife due to which they sustained injuries on their vital part and in support thereof, the medical prescriptions have been annexed as Annexure-5 series to this application. It is further submitted that a proceeding under Section 144 Cr.P.C. has also been instituted in the Court of SDM, Maharajganj, Siwan relating to Khata No.174, Plot No.307 and 308 due to which the alleged occurrence took place. Petitioner has two criminal antecedents as mentioned in para-3 of this application and both the cases have been lodged by a relative of the present informant.

5. Learned APP for the State assisted by learned counsel for the informant opposed the prayer for bail submitting that there is specific allegation of assault against the petitioner. Hence, the petitioner does not deserve anticipatory bail.

6. Having regard to the facts and circumstances of the case as well as the fact that there was free fight between the parties due to which both sides have sustained injuries and the fact that there is admitted land dispute between the parties, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like



amount each to the satisfaction of the learned Court below
where the case is pending/successor Court in connection with
Basantpur P.S. Case No. 511 of 2023, subject to the condition as
laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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