

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86691 of 2023

Arising Out of PS. Case No.-103 Year-2023 Thana- BELDOUR District- Khagaria

1. SONI DEVI W/O NITISH KUMAR PASWAN R/O VILLAGE- BOBIL PHULWARIA, WARD NO. 6, PS. BELDOUR, DISTT. KHAGARIA.
2. MAMTA DEVI W/O CHHATISH KUMAR PASWAN R/O VILLAGE- BOBIL PHULWARIA, WARD NO. 6, PS. BELDOUR, DISTT. KHAGARIA.
3. SHYAM SUNDER @ MUSHAHARU PASWAN S/O LATE PRIVAT PASWAN R/O VILLAGE- BOBIL PHULWARIA, WARD NO. 6, PS. BELDOUR, DISTT. KHAGARIA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar, Advocate

For the Opposite Party/s : Mr.Pradeep Narain Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 24-01-2024 1. Heard learned Counsel for the petitioners and learned APP for the State.
2. This application, for grant of anticipatory bail, arises out of Beldour PS case no. 103 of 2023, disclosing offences punishable under Section 307 and other allied sections of the Indian Penal Code.
3. The prosecution story, as per the First Information Report, is that on 22.05.2023 in the evening, while the informant was engaged in construction of house on his land, petitioners along with other accused persons arrived there, started abusing the informant and upon objection being raised,



they assaulted the informant and his wife with lathi, danda, khanti etc., due to which, informant and his wife sustained injuries.

4. Learned Counsel for the petitioners submits that from perusal of the FIR, it would be evident that there is land dispute between the parties. He also submits that co-accused Mala Devi has earlier lodged a case against the informant and his families bearing Beldour PS case no. 104 of 2023 relating to said land. Referring to the impugned order, learned counsel submits that injury caused to the informant is simple in nature.

5. Regard being had to the submissions made on behalf of the parties and taking into consideration the fact that allegation against the petitioners are general and omnibus in nature, land dispute existing between the parties, injury caused to the informant is simple in nature as also the fact that petitioners no. 1 and 2 are womenfolk, I am inclined to grant the privilege of anticipatory bail to the petitioners.

6. This application is, accordingly, allowed.

7. Let petitioners, abovenamed, in the event of their arrest or surrender before the Court below within four 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 J.M.-1st class, Khagaria in connection with Beldour PS case no. 103 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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