

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86566 of 2023

Arising Out of PS. Case No.-52 Year-2023 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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1. RAM CHANDRA ROY S/O LATE GARO ROY R/O VILL-
JAGDISHPUR, PS- MUFFASIL (LAKHO O.P.) DIST.- BEGUSARAI.
 2. RAMBABU ROY @ RANJIT RAI @ RANJIT KUMAR S/O
RAMCHANDRA ROY R/O VILL- JAGDISHPUR, PS- MUFFASIL
(LAKHO O.P.) DIST.- BEGUSARAI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar, Advocate
For the Opposite Party/s : Mr.Lalan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 31-01-2024 1. Heard learned Counsel for the petitioners and
learned APP for the State.
2. This application, for grant of anticipatory bail,
arises out of Begusarai Muffasil PS case no. 52 of 2023,
disclosing offences punishable under Section 307 and other
allied sections of the Indian Penal Code.
3. At the outset, learned counsel for the petitioners
submits that during pendency of the bail application, petitioner
no. 1 has died.
4. Accordingly, the present petition stands dismissed
as having become infructuous *qua* petitioner no. 1
5. As per the First Information Report, on 27.01.2023,



while the informant was at her home, all of a sudden, petitioners along with other accused persons came there armed with lathi, spade etc. and told her to vacate the land after taking some money. It is alleged that the accused persons assaulted the informant and when her brother-in-law came to save her, petitioner no. 2 assaulted him by khanti on his head.

4. Learned Counsel for the petitioner submits that there is land dispute between the parties and a counter case was also lodged by the side of the petitioners against the informant and others bearing Begusarai Muffasil PS case no. 53 of 2023. Referring to the impugned order, learned counsel submits that only the injury report of informant has been submitted along with the case diary and no injury has been caused to the brother-in-law of the informant, as such, the same was not submitted by the prosecution before the learned Sessions Judge, Begusarai.

5. Regard being had to the submissions made on behalf of the parties and taking into consideration the fact that land dispute is existing between the parties, case and counter case is going on and no injury report of the brother-in-law of the informant has been brought on record by the prosecution, I am inclined to grant the privilege of anticipatory bail to the



petitioner no. 2.

6. This application is, accordingly, allowed.

7. Let petitioner no. 2, abovenamed, 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 C.J.M., Begusarai in connection with Begusarai Mufassil PS case no. 52 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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