

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4724 of 2024

Arising Out of PS. Case No.-136 Year-2023 Thana- PATAHI District- East Champaran

Laloo Yadav @ Lal Babu Rai @ Lal Babu Yadav Son of Ram Sogarath Rai
Resident of village- Sugapipar Police Station- Patahi- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 17-02-2024 1. Heard learned Counsel for the petitioner and learned APP for the State.
2. This application, for grant of anticipatory bail, arises out of Patahi PS case no. 136 of 2023, disclosing offences punishable under Sections 147, 149, 341, 323, 379, 307, 504, 506 of the Indian Penal Code.
3. The prosecution story, as per the First Information report, is that on 30.04.2023 in the afternoon, while the informant was sitting in his cattle shed, 07 accused persons including the petitioner arrived there armed with lathi, sharp cutting weapon-Fasli etc. and told the informant to vacate the land by removing bricks, bamboo pieces etc. When the informant objected and told that the land belongs to him and he has been running coaching center, the petitioner ordered the



accused persons to kill him and uproot the house. Thereafter, the accused persons started throwing stones and bricks, kept in the house of the informant. It has further been alleged that petitioner tied the clothes around the neck of the informant and started pulling it, due to which, the informant was suffocating.

4. Learned Counsel for the petitioner submits that petitioner has falsely been implicated in this case due to land dispute between the parties and case and counter case is going on between the parties. He further submits that there is land dispute between the parties and a title suit bearing T.S. no. 29 of 2023 is pending, He next submits that the doctor has not found any sign of ligature mark on the neck of the informant.

5. Regard being had to the submissions made on behalf of the parties and taking into consideration the fact that there is land dispute between the parties, title suit is pending, case and counter case is going on in between the parties and no apparent injury has been caused to the informant due to assault made by the petitioner, I am inclined to grant the privilege of anticipatory bail to the petitioner.

6. This application is, accordingly, allowed.

7. Let petitioner, 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 Judicial Magistrate-1st class, Sadar, Motihari, East Champaran in connection with Patahi PS case no. 136 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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