

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3216 of 2025

Arising Out of PS. Case No.-330 Year-2024 Thana- RAJPUR District- Buxar

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1. Shiv Kumar Singh Son of Shiv Shankar Singh Resident of Vill- Jalilpur, P.S.- Rajpur, District- Buxar
 2. Deepak Singh @ Deepak Kumar Singh Son of Kapildev Singh Resident of Vill- Jalilpur, P.S.- Rajpur, District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Shankar Pathak

For the Opposite Party/s : Mr. Nirmal Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 19-02-2025 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail, arises out of Rajpur Police Station Case No. 330 of 2024, disclosing offences under Sections 191(2), 191(3), 190, 126(2), 115(2), 117(2), 109, 352, 351(2), 351(3) of the BNS, 2023.

3. After some arguments, when the Court was not inclined to grant anticipatory bail to petitioner no. 2, learned counsel for the petitioners seeks permission to withdraw the application with respect to petitioner no. 2 and seek regular bail.

4. Permission is granted.

5. As per the prosecution case, the allegation against



petitioner no. 1 is that he along with petitioner no. 2 assaulted the father of the informant by means of lathi and iron rod on his head on protest made by the informant's father when the petitioner along with other accused persons were forcibly ploughing the informant's land on 20.10.2024 in the morning.

6. Learned Counsel for the petitioner no. 1 submits that there is a land dispute between the parties and both are agnates and co-sharers which would be evident from the FIR itself. The allegation of assault against the petitioner no. 1 and 2 are joint and however petitioner no. 1 is an old man aged about 75 years and was not in a position to hold lathi and assault the informant's father.

7. Having regard to the submissions made on behalf of the parties and taking into consideration the age of petitioner no. 1 of 75 years, I am inclined to grant the petitioner no. 1 privilege of anticipatory bail.

8. This application is, accordingly, allowed.

9. Let the petitioner no. 1 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 Additional Chief Judicial Magistrate 1st, Buxar, in



connection with Rajpur Police Station Case No. 330 of 2024,
subject to the condition laid down under Section 438 (2) of the
Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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