

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4741 of 2025

Arising Out of PS. Case No.-281 Year-2023 Thana- BIBHUTIPUR District- Samastipur

Himanshu Kumar, Son of Ravindra Mahto, Resident of Village- Mustafapur
PS -Bibhutipur, District -Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raja Ram Mishra, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 05-02-2025 1. Heard learned Counsel for the petitioner and learned APP for the State.
2. This application, for grant of anticipatory bail, arises out of Bibhutipur P.S. case no. 281 of 2023, disclosing offences punishable under Sections 147, 148, 149, 341, 323, 325, 307, 354(A), 379, 504 and 506 of the Indian Penal Code.
3. The prosecution case, as per the First Information Report, is that the petitioner, along with other co-accused persons, arrived at the door of the informant, having armed with lathi, danda, lethal weapon etc.,assaulted the informant by the butt of the pistol and iron rod on his head. It is further alleged that the petitioner and other accused persons, assaulted the cousin brothers of the informant, namely, Kamlesh and Sanjeet and the brother of the informant, namely, Manoj, by lathi, iron-



rod etc., causing injuries on their heads and other parts of the body.

4. Learned Counsel for the petitioner submits that the injury sustained by the victims are simple in nature. The occurrence has taken place due to land dispute between the parties, which would be evident from the First Information Report itself. It is also submitted that the petitioner is a student and he is preparing for various competitive jobs. A counter case has been lodged by the side of the petitioner, bearing Bibhutipur P.S Case No. 298 of 2023 and both sides received simple injury. It is further submitted that similarly situated co-accused persons have been granted anticipatory bail by this court vide order dated 21.11.2024 passed in Cr. Misc. No. 77695 of 2024.

5. Regard being had to the submissions made on behalf of the parties and taking into consideration the fact that the petitioner is a student and there is land dispute between the parties and injuries caused to the victims are simple in nature, I am inclined to grant the privilege of anticipatory bail to the petitioner.

6. This application is, accordingly, allowed.

7. Let petitioner, above named, in the event of his arrest or surrender before the Court below within a period of



four weeks from today, 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 SDJM, Rosera, Samastipur in connection with Bibhutipur P.S case no. 281 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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