

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5907 of 2025

Arising Out of PS. Case No.-353 Year-2024 Thana- BACHHWARA District- Begusarai

Vijay Kumar Rai @ Vijay Kumar S/o- Ramvilash Rai Resident of Behrampur
P.S.-Bachhwara, 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. Rina Sinha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 07-02-2025 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 Bachhwara Police Station Case No. 353 of 2024, disclosing offences under Sections 115(2), 127(1), 303(2), 324(4)(5), 109, 351/3(5) of the Bharatiya Nyaya Sanhita and 27 of the Arms Act.

3. The prosecution case, as per the First Information Report, is that on 11.10.2024, the petitioner, along with other accused persons total 30-40 unknown persons, arrived and attacked the informant and his family members with lathi, bhala, danda, bricks, etc. Three motorcycles standing at the door of the informant were also damaged. The petitioner along with other co-accused Kundan Kumar resorted to firing.



4. Learned Counsel for the petitioner submits that petitioner has falsely been implicated in this case due to long standing land dispute between the parties, which would be evident from the First Information Report as well as counter case lodged by the side of the petitioner bearing Bachhwara P.S. Case No. 355 of 2024. The side of the petitioner had purchased 1½ bighas of land about 20 years back, which the side of the informant and others tried to grab forcibly from the petitioner and others, due to which scuffle took place. The petitioner is having no criminal antecedent. The co-accused persons have been granted anticipatory bail by this Court in Criminal Misc. No. 88706 of 2024.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that there is land dispute between the parties, case and counter case is there, nobody has sustained any injury and similarly situated persons have been granted anticipatory bail by this Court, I am inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let the petitioner, above named, 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 Bachhwara Police Station Case No. 353 of 2024, subject to the condition laid down under Section 482 of the Bharatiya Nagrik Suraksha Sanhita.

(Anil Kumar Sinha, J)

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