

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39407 of 2025

Arising Out of PS. Case No.-415 Year-2024 Thana- MOTIHARI MUFASIL District- East
Champaran

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1. Sk. Alauddin @ Shekh Alauddin S/O Shekh Sageer R/O Vill.- Katha, Lokhathpur, P.s.- Mufassil, Dist.- East Champaran
 2. Sk. Kalamuddin @ Kalamuddin @ Shekh Kalamuddin S/O Shekh Sageer R/O Vill.- Katha, Lokhathpur, P.s.- Mufassil, Dist.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar

For the Opposite Party/s : Mr.Choubey Jawahar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 09-07-2025 1. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Muffasil Police Station Case No. 415 of 2024, dated 29.08.2024, disclosing offences punishable under Sections 329(2)/126(2)/115(2)/109/352/351(2)/3(5) of the Bhartiya Nyaya Sanhita, 2023.
3. The prosecution case, as per the First Information Report, is that on 24.08.2024, in the night at about 8 PM, while the informant was sitting at his door, the petitioners, along with other accused persons, arrived there and started demanding her land papers. When the informant told that



he was not having the land papers, on the orders of petitioner no. 1, the petitioner no. 2 assaulted the informant on his head by means of iron-rod, due to which he sustained injury and when the informant's father and one Sanjeev Singh arrived there to save the informant, the petitioner no. 1 assaulted Sanjeev Singh by iron-rod, due to which he sustained injury.

4. Learned Counsel for the petitioners submits that both the parties are co-sharers and there is land dispute between them, which would be evident from the First Information Report itself. Though the injury caused to the victims has been discussed in the impugned order, but the nature of the injuries has not been described as grievous. Both parties have entered into compromise and have filed a joint compromise petition before the learned Chief Judicial Magistrate, East Champaran, at Motihari (Annexure 2).
5. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that both the parties are co-sharers, the petitioner no. 1 is 77 years of age, I am inclined to grant the petitioners privilege of anticipatory bail.



6. This application is, accordingly, allowed.
7. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, at Motihari, in connection with Mufassil Police Station Case No. 415 of 2024, subject to the condition laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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