

Arising Out of PS. Case No.-180 Year-2024 Thana- AANDAR District- Siwan

- Petitioner/s

The State of Bihar

.. ... Opposite Party/s

For the Petitioner/s : Mr. Chandra Kant, Advocate
For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP
For the Informant : Mr. Bijay Prakash Singh, Advocate

4 15-04-2025 1. Heard learned counsel for the petitioners, learned
APP for the State and learned counsel for the informant.

2. The petitioners have preferred this application for
grant of anticipatory bail apprehending their arrest in connection
with Andar P.S. Case no.180 of 2024 registered under sections
127 (1), 115(2), 117(2), 109, 352, 351(2) and 3(5) of the B.N.S.
Act.

3. As per the prosecution case, the informant states
that the F.I.R named accused persons, the petitioners herein
started abusing the informant. On protest, accused Prem Kishore



along with others assaulted the informant and his brother with sticks, punches and rods. As a result of which, the informant and his brother sustained injuries.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the case. The allegations against the petitioners are general and omnibus in nature and no specific allegation has been imputed upon them. It has also been submitted that from bare perusal of the F.I.R, it would clear that parties have longstanding dispute with regard to land as they happen to be the *patidars*. It has also been submitted that there is case and counter case, Annexure- 2 is the Aandar P.S. Case no. 181 of 2024 which has been lodged by the wife of the petitioner no. 1 on the same day. Learned counsel for the petitioners points out that supplementary affidavit has been filed in the matter bringing on record the injury report of petitioner nos. 1. From perusal of the same, it would show that petitioner no. 1 Mannu Sharma has received two injuries which are both grievous in nature. The petitioners have no criminal antecedent and undertake to cooperate in the case/trial.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State and learned counsel for the informant. Learned counsel for the informant submits that injury



report on the prosecution side would also reveal that Injured No. 1 Sunil Sharma and Injured No. 2 have sustained three injuries, out of which one injury is grievous and other injuries are simple in nature.

6. Considering the fact that the occurrence has taken place due to land dispute, there is case and counter case and also considering the fact that injuries have been received on both sides and the same is also grievous in nature not only on the prosecution but also on the side of the petitioners, it is directed that the petitioners above named, who have no criminal antecedent in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Andar P.S. Case no.180 of 2024 on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-1st Class, Siwan, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S, 2023.

(Soni Shrivastava, J)

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