

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74590 of 2024

Arising Out of PS. Case No.-62 Year-2024 Thana- RISIYAP District- Aurangabad

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1. Kundan Singh S/o Late Bina Singh Resident of village- Noniya Bigha, Ps- Risiup, District- Aurangabad, Bihar
 2. Raja Singh @ Raja Kumar S/o Kundan Singh Resident of village- Noniya Bigha, Ps- Risiup, District- Aurangabad, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar Pandey, Adv.
For the Opposite Party/s : Mr.Pranav Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 22-01-2025 Heard learned Counsel for the petitioners and learned
APP for the State.

2. Learned Counsel for the petitioners submits that during pendency of the bail application, petitioner No.1 has been arrested, therefore, he is persuading bail for petitioner No.2 only.

3. The petitioner No.2 is apprehending arrest in a case registered for the offences punishable in connection with Risiup P. S. Case No.62 of 2024 under Sections 147, 148, 149, 447, 452, 307, 379 and 504 of the Indian Penal Code.

4. As per the prosecution, the FIR has been lodged against 5 named accused persons including the petitioner no.2



against whom there is allegation of assault by iron rod and danda upon the informant and snatched Rs.700/- from his pocket.

5. Learned Counsel for the petitioner No.2 submits that the petitioner No.2 is innocent and has committed no offence. He submits that the informant and petitioner No.2 are resident of same village and they are basically agnates. He further submits that from the F.I.R. itself, it becomes crystal clear that the dispute is basically land dispute and for this, there is case and counter-case for the same date and place of occurrence *i.e.,* Risiup P.S. Case no.64 of 2024 has been lodged from the petitioners' side and Risiup P.S. Case no.62 of 2024 has been lodged from the informant's side (present case).

6. Learned Counsel further submits that the case in which the allegation has been made against the petitioner, has been granted bail whereas the case in which the petitioners' side have lodged F.I.R. against the informant's side, the petitioners have shown injury on head.

7. Learned Counsel also submits that antecedent of the petitioner No.2 is clean.

8. Learned APP for the State opposes the prayer for bail.



9. In the present facts and circumstances, let the above named petitioner No.2 be released on anticipatory bail, in the event of arrest or surrender before the Court below within a period of 6 weeks from today, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Aurangabad in connection with Risiup P. S. Case No.62 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dr. Anshuman, J.)

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