

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76698 of 2024

Arising Out of PS. Case No.-86 Year-2024 Thana- THARTHARI District- Nalanda

Dhananjay Kumar Son of Indrajit prasad Resident of village- Sekhpura Dih,
P.S- Tharthari, Distt.- Nalanda

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jayram Sharma

For the Opposite Party/s : Mr.Umeshanand Pandit

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 04-02-2025 1. Heard the parties.

2. The petitioner apprehends his arrest in connection with Tharthari P.S. Case No. 86 of 2024 dated 07.07.2024 registered under Section 126(2), 352, 109, 351(3), 3 of the B.N.S. and Section 27 of the Arms Act, 1959.

3. As per the first information report on 06.07.2024 the informant's son was tilling the field in the meanwhile the petitioner along with other accused persons arrived at the place of occurrence with country made pistol, started abusing and when objected, the petitioner along with the co-accused Indrajit Prasad fired upon the informant's son due to which he sustained gun shot injury in his left hand.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case due to land dispute



between the grandfather of the petitioner and Most. Kalawati Devi bearing T.S. No. 35 of 2008. During pendency of the title suit, the land situated at plot no. 64, area 68.75 decimal was sold by Most. Kalawati Devi by registered sale deed dated 14.12.2022 in favour of the informant's son. On the date of occurrence scuffle between the parties took place on the ground of taking possession of the land by the side of the informant. A counter case has also been lodged by the side of the petitioner bearing Complaint Case No. 407 of 2024. The allegation in the F.I.R. is that the informant's son was shot at by the petitioner and the co-accused but in the injury report lacerated and sharp cut wound has been found on the person of the victim i.e. informant's son.

5. On the other hand, learned counsel for the informant submits that there is specific allegation of firing upon the petitioner and the co-accused, who have been granted regular bail by the learned trial court.

6. Regard being had to the submission made by the parties, taking into consideration the fact that there is long standing land dispute between both the parties, title suit is pending, case and counter case is there and the allegation against the petitioner is that he shot at the informant's son but the victim has sustained



lacerated and sharp cut wound, I am inclined to grant anticipatory bail to the petitioner.

7. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of A.C.J.M., Hilsa of Nalanda district in connection with Tharthari P.S. Case No. 86 of 2024 subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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