

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.89091 of 2024**

Arising Out of PS. Case No.-223 Year-2024 Thana- ARA MUFFSIL District- Bhojpur

1. Arvind Singh S/o Baijnath singh Resident of village - Bheldumra, PS- Ara Muffasil, District- Bhojpur
2. Chhotu Singh @ Anup Kumar Singh S/o Shiv Kumar Singh R/o vill - Dhobahan, P.s.- Ara Muffasil (Dhobahan O.P), Distt.- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

|                          |   |                      |
|--------------------------|---|----------------------|
| For the Petitioner/s     | : | Mr.Raju Kumar Singh  |
| For the Opposite Party/s | : | Mr.Shyameshwar Dayal |

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

3      05-03-2025      1. Heard the parties.

2. The petitioners apprehend arrest in connection with Ara Muffasil P.S. Case No. 223 of 2024 dated 30.07.2024 registered under Sections 191(2), 191(3), 190, 126(2), 115(2), 109, 303(2), 352, 351(2) B.N.S.

3. The prosecution case as per the first information report is that on 29.07.2024 the petitioners and other accused persons along with 20 unknown persons armed with various weapons arrived at the land of the informant bearing khata no. 179, plot no. 453 admeasuring an area of 26 decimal in order to take possession and started construction. Upon protest, the accused persons attacked the informant and the petitioner no. 1 assaulted him with rod on his head. The co-accused / Viswajeet Singh and



Anish Singh pulled him on the ground and pressed his neck. The petitioner no. 2 / Chhotu Singh fired from his pistol and also gave iron rod blow upon the head of informant's nephew Manish Kumar Singh. Subsequently, the petitioners and other accused persons assaulted the informant and his brother Ramkishun Singh by means of iron rod due to which they sustained injuries.

4. Learned counsel for the petitioners submits that the petitioners along with entire family members have been made accused in this case due to previous land dispute between the parties. He next submits that Title Suit No. 523 of 2002 is being contested between the parties along with other cases under Section 133 & 147 of the Code of Criminal Procedure. He also submits that a counter case has been lodged by the side of the petitioners bearing Ara Muffasil P.S. Case No. 222 of 2024 against the informant and others in which the side of the petitioners has also sustained injuries. Referring to the injury report of informant's brother namely, Ram Kishun Singh, learned counsel submits that the doctor has opined the injury as grievous in nature due to hairline fracture on the left elbow and no significant abnormality is seen in the brain by the doctor. He next submits that similarly situated co-accused / Viswajeet



Singh has been granted anticipatory bail by this court in Cr. Misc. No. 77099 of 2024. The petitioners have got no criminal antecedent.

5. Regard being had to the submission made by the parties, taking into consideration the the fact that both the parties are co-villagers, there is previous land dispute between them, case and counter case is also there , grievous injury is not on the vital part of the body, similarly situated co-accused has been granted anticipatory bail by this court and the petitioners are having no criminal antecedent, as such, I am inclined to grant anticipatory bail to the petitioners.

6. Let the petitioners, 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) each with two sureties of the like amount each to the satisfaction of A.C.J.M. VII, Bhojpur at Ara in connection with Ara Muffasil P.S. Case No. 223 of 2024 subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

praful/-

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