

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86889 of 2024

Arising Out of PS. Case No.-73 Year-2024 Thana- RAJEPUR District- East Champaran

Rakesh kumar @ Rakesh sah S/o Nathuni Sah @ Ramsvrup Sah Resident of
Village - Dheluahan, P.S.- Rajopur, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhurendra Kumar

For the Opposite Party/s : Mr.Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 18-01-2025 1. Heard the parties.

2. The petitioner apprehends his arrest in connection with Rajepur P.S. Case No. 73 of 2024 dated 16.04.2024 registered under Sections 448 / 147 / 148 / 149 / 341 / 323 / 324 / 325 / 307 / 379 / 354 / 504 / 506 of the I.P.C.

3. As per the first information report on 11.04.2024 in the evening while the informant was sleeping in his house, suddenly the petitioner along with sixteen accused persons surrounded the house and the petitioner inflicted knife blow on the head of the informant.

4. Learned counsel for the petitioner submits that there is delay in lodging the first information report inasmuch as the occurrence has taken place on 11.04.2024 but the F.I.R. has been lodged on 16.04.2024 on the basis of written report. Both the parties are “gotiya” (agnate) and are residing adjacent to each



other and there is land dispute between them. A counter case by way of complaint case no. 947 of 2024 has been filed by the side of the petitioner against the informant and others which has been referred for registration of F.I.R. under Section 156(3) Cr.P.C. The injury caused to the informant is simple in nature as would be evident from Annexure-2.

5. Regard being had to the submission made by the parties, taking into consideration the fact that both the parties are agnates having land dispute, injury caused to the informant is simple in nature and case and counter case is also there, as such, I am inclined to grant anticipatory bail to the petitioner.

6. 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 learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Rajepur P.S. Case No. 73 of 2024 subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

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(Anil Kumar Sinha, J)

