

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88577 of 2024

Arising Out of PS. Case No.-403 Year-2024 Thana- HARSIDHI District- East Champaran

1. Suresh Singh Son of Paspal Singh R/O- Ghoghraha Bairiya PS- Harsidhi, District- East Champaran at Motihari
2. Sushil Singh @ Khushilal Singh @ Khushilal Prasad Son of Late Raghubir Mahato @ Raghubir Singh R/O- Ghoghraha Bairiya, PS-Harsidhi, District- East Champaran at Motihari
3. Paras Singh Son of Late Bahadur Singh R/O- Ghoghraha Bairiya, PS- Harsidhi, District- East Champaran at Motihari
4. Akhilesh Singh @ Akhilesh Kumar Singh Son of Kailash Singh R/O- Ghoghraha Bairiya, PS-Harsidhi, District- East Champaran at Motihari
5. Dilip Singh @ Rajnandan Kumar Son of Paras Singh R/O- Ghoghraha Bairiya, PS-Harsidhi, District- East Champaran at Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners : Mr. Shashank Shekhar, Advocate
For the State : Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 20-01-2025 Heard learned counsels for the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 126, 115(2), 118, 109, 351, 352 and 3(5) of the B.N.S.S..

3. The prosecution case, in brief, is that on 22.07.2024 at about 3 AM, all the accused persons named in the F.I.R., including these petitioners, were forcibly cultivating the land of the informant. After getting information, when the informant went there, he saw that co-accused Dilip Singh was armed with



weapon and when the informant raised objection, all the accused persons, including these petitioners, abused the informant and on the orders of Petitioner Nos. 1 and 2, co-accused Chhotelal Singh, with the intention to commit murder, gave *farsa* blow on head of informant as a result of which informant sustained injury on his head and fell down. It is further alleged that when father of informant came to save him, he was also assaulted by accused persons. It is further alleged that land in question belongs to informant and process under Section 144 of the Cr.P.C. is also going on.

4. It is submitted by learned counsel appearing on behalf of the petitioners that petitioners are innocent and have falsely been implicated in this case. As per F.I.R., Petitioner Nos. 1 and 2 are order givers and there is general and omnibus allegations against Petitioner Nos. 3, 4 and 5. Specific accusation of assault is against co-accused Chhotelal Singh. As a matter of fact, there is admitted land dispute between the parties for which a simple *maar-peet* took place on the alleged date and time of occurrence. There is case and counter-case between the parties and Harsidhi P.S. Case No. 409 of 2024 was lodged by wife of co-accused Chhotelal Singh against the informant and others for the same occurrence.



5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioners.

6. Considering the aforesaid facts and circumstances, general and omnibus allegations and case and counter-case between the parties, the prayer for grant of anticipatory bail to the petitioners is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioners be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran, in connection with Harsidhi P.S. Case No. 403 of 2024, subject to condition as laid down under Section 482 of the B.N.S.S..

(Prabhat Kumar Singh, J)

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