

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17628 of 2023

Arising Out of PS. Case No.-129 Year-2022 Thana- EKANGARSARAI District- Nalanda

KOSHINDAR PRASAD @ KAUSHLENDRA PRASAD SONOF NARESH
PRASAD RESIDENT OF VILLAGE- UPRI MANPUR, PS-
EKANGARSARAI, DIST- NALANDA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bishwa Bijay Kumar, Advocate.

For the Opposite Party/s : Mr. Kalyan Shankar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 31-05-2023

Heard the parties.

Petitioner apprehends his arrest in connection with Ekangarsarai P.S. Case No. 129 of 2022 dated 17.5.2022 registered for the offence punishable under Sections 147, 149, 323, 341, 337, 325, 307, 379, 504 and 506 of the Indian Penal Code.

As per the First Information Report, while the informant was sitting at his door along with his family members, the petitioner along with other accused persons, 12 in numbers, arrived there and started abusing and upon protest co-accused Ranjan Prasad and Sudhir Prasad assaulted the informant by means of *lathi*, *danda*, due to which, his right hand got fractured and when the brothers of the informant Mahendra



Prasad and Karu Prasad tried to intervene, the petitioner along with other accused persons assaulted them by means of *lathi*, *danda*, due to which, they sustained injuries.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case as a counter blast inasmuch as on the same date and time, an F.I.R. was lodged by the side of the petitioner against the informant and others bearing Ekangarsarai P.S. Case No. 128 of 2022 which is prior in time to the F.I.R. lodged in the present case. He further submits that both the parties are agnates and there is land dispute between them. The injury caused to the victims attributable to the petitioner and others is not serious in nature as would be evident from injury report annexed to the bail petition.

Regards being had to the submission made by the parties and taking into consideration the materials on record and the fact that there is case and counter case between the parties, both the parties are agnates and the injury caused to the victims are not serious in nature, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, in the event of arrest or surrender before the learned court below within six weeks from today, petitioner,



above named, shall be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. Hilsa, Nalanda, in connection with Ekangarsarai P.S. Case No. 129 of 2022, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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