

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.50978 of 2015**

Arising Out of PS.Case No. -270 Year- 2015 Thana -VAISHALI District- VAISHALI(HAJIPUR)

Musafir Roy

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Sunil Kumar Singh

For the Opposite Party/s : Mr. Harendra Prasad (App)

**CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL**  
**ORAL ORDER**

2 04-11-2015

Heard learned counsel Shri Sunil Kumar Singh

on behalf of the petitioner and learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Vaishali (Belsar O.P.) P.S. Case No. 270 of 2015 for offences alleged under sections 147, 148, 149, 341, 323, 324, 307, 504, 379 of the Indian Penal Code.

The prosecution case is that on 26.08.2015 the petitioner Musafir Rai was abusing the informant on account of land dispute which was protested by the wife of informant namely Dhanmanti Devi, upon which, petitioner Mushafir Rai became angry and called the other accused persons as named in the F.I.R. who were armed with lathi, danda. It is alleged that on the order of Mushafir Rai, accused Fakira Rai assaulted the wife of the informant with lathi on her head and made her injured, when the

informant went to rescue, he was also assaulted by lathi, when the daughter of informant Anita Devi went to rescue, she was also assaulted by the accused persons and her gold chain was also removed.

It has been submitted by the learned counsel for the petitioner that he has clean antecedent which find place at paragraph -3 of this petition. It has further been submitted that all other co-accused have been granted the privilege of anticipatory bail by the learned court below. It has been pointed out by the counsel for the petitioner that the injury report also supports the injury caused by hard and blunt substance and simple in nature which is annexure-2 to this petition. Further more it has been submitted by the counsel for the petitioner that the informant and the petitioner has land dispute as the informant himself has stated in the first information report that there is some land dispute between the petitioner and the informant.

Be that as it may, let the petitioner namely Musafir Rai in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief

Judicial Magistrate, Vaishali at Hajipur in connection with  
Vaishali (Belsar O.P.) P.S. Case No. 270/2015, subject to the  
conditions as laid down under section 438(2) Cr.P.C.

**(Nilu Agrawal, J)**

M.Rahman/-

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