

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8788 of 2017

Arising Out of PS.Case No. -136 Year- 2016 Thana -MUSAHRI District- MUZAFFARPUR

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MD. MUSTKIM @ MD. MOSTKIM son of Yasim Miyan, resident of
village Gopalpu Taraura, P.S. Mushhari, District-Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pawan Kumar Singh, Advocate

For the Opposite Party/s : Mr. Satyadev Prasad Singh Yadav, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 02-03-2017 This is an application for grant of anticipatory bail

for offences punishable under Sections 341, 323, 325 and 307/34

of the Indian Penal Code.

Heard learned counsel for the petitioner.

It has been submitted on behalf of the petitioner that

there is allegation against the petitioner of assaulting informant

Gulam Mustafa and his son by rod and the injuries are simple in

nature. But one injury caused by hard and blunt substance is

found to be grievous in nature. There is land dispute between the

parties. There is case and counter case between the parties and a

Partition Suit is pending between them.

Heard learned A.P.P. also.

Having heard both sides, in view of the fact that there

is one injury caused grievous in nature, I am not inclined to grant



anticipatory bail to the petitioner, the same is rejected.

However, petitioner may surrender in the court below, i.e., learned ACJM cum Sub-Judge-3rd, Muzaffarpur, in connection with Mushahari P. S. Case no. 136 of 2016 and make prayer for regular bail on the submission made above, which will be considered on its own merit and pass appropriate order preferably on the same day without being prejudiced by the order of this Court.

Accordingly, the application is dismissed.

(Vinod Kumar Sinha, J)

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