

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11668 of 2017

Arising Out of PS.Case No. -538 Year- 2016 Thana -LAHERIASARAI District- DARBHANGA
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1. Md. Shafique
2. Md. Shakoor
3. Md. Kashim @ Kashim All are Sons of Jumai
4. Md. Iquabal Son of Md. Safique All are resident of New Amanda
Wakarganj, Police Station-Laheriasarai, District-Darbhanga.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Girish Chandra Jha, Advocate.

For the Opposite Party/s : Mr. Jagdhar Prasad, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

3 17-04-2017 Heard both sides.

The petitioners apprehend their arrest in
Laheriasarai P. S. Case No. 538 of 2016 registered for the
offences under Section 307 and other sections of the Indian Penal
Code.

The informant alleged that while he was giving
foundation on his land, on the order of Md. Shafique (petitioner



no.1), petitioner nos. 2 and 3 assaulted with farsa on his head and petitioner no.4 assaulted with Dabia on his head. Petitioner no.1 is alleged to have assaulted with sword on his hand.

Learned counsel for the petitioners submits that from perusal of the injury report of the informant, two lacerated wound was found on the head of the informant and one injury was found on the finger of the informant. The injury caused by petitioner no.1 was found grievous in nature and the injury caused by petitioner nos. 2, 3 and 4 are simple in nature. There is a counter version bearing Laheriasarai P.S. Case No. 541 of 2016.

Considering the facts that the occurrence took place due to land dispute, there is a case and counter case and the injury caused by the petitioner nos. 2, 3 and 4 are simple in nature, the above named petitioner nos. 2, 3 and 4, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Darbhanga in Laheriasarai P. S. Case No. 538 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.



So far as the petitioner no.1 is concerned, he has caused grievous injury to the informant. Considering this fact, I am not inclined to enlarge the petitioner no.1 on anticipatory bail. The anticipatory bail application of petitioner no.1 is rejected.

(Prabhat Kumar Jha, J)

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