

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59700 of 2018

Arising Out of PS. Case No.-211 Year-2018 Thana- NARPATGANJ District- Araria

Md. Sakimuddin @ Sakmuddin, S/o Sahrudin @ Sheruddin,
R/o Vill.- Pathraba, P.S.- Narpatganj, Distt.- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh, Adv.

For the Opposite Party/s : Mr. Narendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 28-09-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 148, 448, 341, 323, 325, 379, 307, 504 and 506 of the IPC.

The prosecution case, as per the written report of Mr. Sajid submitted to the S.H.O., Narpatganj P.S. is to the effect that on 05.04.2018 at about 3:00 PM the informant was constructing house over his land, in the meantime, fifteen accused persons came variously armed. It is alleged that petitioner and co-accused Nazim assaulted the brothers of the informant, Firoz



and Mazid, with farsa.

It is submitted by the learned counsel for the petitioner that the accusation has been levelled in the background of land dispute. For the occurrence of 05.04.2018 at 3:00 PM, the written statement was submitted on 10.04.2018, when the FIR was registered on the same day at 06:30 PM. Though the injuries of both the injured persons have been caused on the head but the injuries have been found to be superficial simple in nature. However, nature of injury has been stated as sharp injury. The accused assailant did not repeat the blow hence, they had no intention to kill the brother of the informant. A statement has been made in paragraph no. 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the petitioner is being named in the FIR.

Considering the nature of accusation of assault being levelled in the background of land dispute, let the above named petitioner be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned **C.J.M., Araria**, in connection with



Narpatganj (Ghurna) P.S. No.211 of 2018, subject to the
condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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