

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3394 of 2019

Arising Out of PS. Case No.-128 Year-2018 Thana- HUSSAINGANJ District- Siwan

Sonu Mian @ Hazrat Ali aged about 28 years (Male) son of Late Kuddus Mian Resident of Village and P.S. Hussainganj, District- Siwan.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Tiwary

For the Opposite Party/s : Mr.Murli Dhar

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 29-01-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is seeking anticipatory bail in connection with Hussainganj P.S. Case No. 128 of 2018 registered under Sections 341, 323, 307, 504 and 506 of the Indian Penal Code.

Learned counsel for the petitioner submits that informant happens to be the uncle of the present petitioner and he has brought the present case falsely implicating the petitioner because of a land dispute as the parties are contesting for partition of a landed property. It is submitted that from the narration of the allegation itself it will appear that no weapon has been attributed to this petitioner and the allegation that the petitioner had indulged in causing assault



upon the informant by fists and then lathi are all baseless. The injuries have been found to be simple in nature.

Learned counsel submits that the alleged injury is a result of felling down of the informant which has been made a basis to alleged assault against the petitioner.

Learned A.P.P. for the State is present and has opposed the prayer for anticipatory bail of the petitioner.

In the given facts and circumstances of the case where the informant and the petitioner are said to be closely related and are having land dispute and in the F.I.R. no specific weapon has been attributed to the petitioner in the initial paragraphs, in the event of his arrest/surrender before the court below within a period of four weeks, let the above-named petitioner be enlarged on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan, in connection with Hussainganj P.S. Case No. 128 of 2018, subject to condition that petitioner shall join investigation by reporting to the Investigating Officer within a period of two weeks from today and shall cooperate in course of investigation, failing which the Investigating Officer shall be at liberty to take steps for



cancellation of bail. This will be in addition to condition prescribed under Section 438(2) of the Code of Criminal Procedure.

(Rajeev Ranjan Prasad, J)

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