

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13601 of 2019

Arising Out of PS. Case No.-290 Year-2018 Thana- BANIAPUR District- Saran

KAUSAR MIYA @ KAUSAR ALI, aged about 38 years, Gender-Male, Son of Sheikh Umar Resident of Village- Manikpura, Uttar Tola, P.S.- Baniyapur, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Anis Akhtar

For the Opposite Party/s : Mr.Nirmala Kumari

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 06-03-2019 Heard both sides.

The petitioner apprehends his arrest in Baniyapur P.S. Case No.290 of 2018 registered under Section 307 and other minor Sections of the Indian Penal Code.

The informant in gist alleged that his younger brother was constructing his house and the stair was being constructed in front of the house. Informant had gone to see the works but the petitioner and others came and petitioner is alleged to have indiscriminately assaulted the informant with iron rod.

The learned counsel for the petitioner submits that there is a counter version being Baniyapur P.S. Case No.291 of 2018. The younger brother of the informant had constructed the house and the stairs after encroaching the land of the petitioner



for which some altercation took place. The informant alleged that he was indiscriminately assaulted by the petitioner with iron rod on his head but the injury found on the informant(Annexure-3) got one lacerated wound on right side of the forehead, the dimension of the injury is ½”x1/4”x1/4”. On X-ray, the doctor did not find any abnormality and opined the nature of injury to be simple.

Considering the aforesaid facts and the fact that the occurrence took place due to land dispute and there is a case and counter case in which the informant got simple injury, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. 11th, Chapra, District-Saran in connection with Baniyapur P.S. Case No.290 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

Saurabh/-

U		T	
---	--	---	--

