

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14098 of 2019

Arising Out of PS. Case No.-864 Year-2018 Thana- FORBESGANJ District- Araria

Md. Anish Son of Late Rafique, Resident of Village - Mirzapur, Ward No. 8,
P.S.- Simraha (Forbesganj), District - Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhijeet Gautam

For the Opposite Party/s : Mr.Md. Matloob Rab

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 07-03-2019 Heard both sides.

The petitioner apprehends his arrest in Forbesganj P.S.

Case No.864 of 2018 registered under Section 307 and other
minor sections of the Indian Penal Code.

The informant alleged that the accused persons were
ploughing his land and when he went to protest, Md. Shamshad
having armed with iron rod came and assaulted Md. Ekhlaque
(uncle of the informant) on his head causing bleeding injury.
Hasan Raza having armed with Dabiya in his hand came and
assaulted his another uncle Md. Razzaque on his hand causing
injury on his fingers. Md. Kalam having armed with farsa came
and assaulted his uncle. In the meantime Md. Sadab, Md. Anish
(petitioner), Chhotu and Md. Galib came and abused the
informant and others and also threatened to kill.



Learned counsel for the petitioner submits that there is counter version being Forbesganj P.S. Case No.869 of 2018. There is no allegation of assault against the petitioner but from perusal of F.I.R. it appears that it is a bonafide land dispute. Of course, petitioner is named in the F.I.R. but the informant did not make any allegation of assault against the petitioner. The petitioner is only alleged to have abused and threatened the informant and others.

Having considered the facts aforesaid, the above named petitioner, in the event of his 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, is 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 learned C.J.M., Araria in connection with Forbesganj P.S. Case No.864 of 2018, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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