

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79235 of 2018**

Arising Out of PS. Case No.-52 Year-2018 Thana- FATEHPUR District- Gaya

Ekbal Ansari @ Ekbal Mian, Son of Sageer Main Resident of Bagai P.S
Fatehpur, District-Gaya

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sheikh Arkan Ahmad
For the Opposite Party/s : Mr.Akbar Ali

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 02-05-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Fatehpur P.S. Case no. 52 of 2018, registered under
Sections 341, 323, 308, 504 and 506 of the Indian Penal Code.

The accusation is that on 27.02.2018 at about 11.00
A.M, seven persons named in the F.I.R., including the
petitioner, started abusing and assaulting the informant, who
was digging the earth for plinth. In that course, Rahish Mian
caused injury at the left hand of the informant and petitioner
caused injury at the head of Sajid and left hand of Tara
Khatoon and Shabnam also received injury on the head and
Md. Mister Ali also received injury.

Learned counsel for the petitioner submits that, in



fact, occurrence of Marpit took place due to land dispute in which petitioner also sustained injury regarding which Fatehpur P.S. Case No. 51 of 2018, under Section 341, 323, 308, 504 and 506 of the I.P.C. was instituted against informant and other on the basis of the written report of Pakija Khatoon. Moreover, the injuries as found on the person of the injured are of simple in nature except hand injury of Tahira Khatoon regarding which the opinion is kept reserved.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the A.C.J.M-X, Gaya in connection with Fatehpur P.S. Case No. 52 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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