

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25688 of 2019

Arising Out of PS. Case No.-111 Year-2019 Thana- BHABHUA District- Kaimur (Bhabua)

RINKU ANSARI, aged about 24 years, Male, Son of Israil Ansari @ Md. Israil Ansari Resident of Mohalla - Bhabua Ward No - 22, Nababi Muhalla, P.S.- Bhabua, Distt - Kaimur (Bhabua) ... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Kumar Sunil, Adv.

For the Opposite Party : Mr. Shailendra Kumar, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 29-04-2019 Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the State.

The petitioner seeks bail in connection with Bhabua P.S. Case No. 111 of 2019 for the offences alleged under Sections 147, 341, 504, 506, 324 and 307/34 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is that while she had come out of her house, the petitioner along with the four other, started abusing her and co-accused, Bhaggu, gave her a knife blow on the neck and feet. Both the informant and petitioner's side are on inimical terms due to land dispute for which earlier also Bhabua P.S. Case No. 14 of 2018 has been lodged against the informant and others.



It has been submitted by the learned counsel for the petitioner that he is innocent and has been falsely implicated in the aforesaid case because of land dispute between the two parties, which is purely civil in nature and the petitioner has not been attributed to have caused injury on the informant, allegation is against co-accused, Bhaggu. He submits that the injury report, which is Annexure 2 the injuries have been found to be simple in nature. The petitioner is languishing in judicial custody since 07.03.2019.

However, the learned Additional Public Prosecutor for the State opposes the prayer for bail stating therein that the petitioner does not bear a clean antecedent and two more cases are pending against him although the petitioner submits that the said case has been lodged by the informant because of land dispute in which he is on bail.

Considering the nature of allegations, a civil dispute between the parties and there is case and counter case by the petitioner's side, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Bhabua P.S. Case No. 111 of 2019 to the satisfaction of the learned Chief Judicial Magistrate, Kaimur at



Bhabhua, or the successor Court, subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.

(Nilu Agrawal, J)

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