

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59438 of 2018

Arising Out of PS. Case No.-154 Year-2018 Thana- AAJAM NAGAR District- Katihar

Md. Salim @ Mohd. Salim @ Salim Son of Md. Mustaque, resident of
Village- Bagdar, P.S. Azamnagar Salmari O.P., District- Katihar.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr.Pawan Kumar Singh, Advocate
For the State	:	Mr. Parmeshwar Mehta, A.P.P.
For the Informant	:	Md. Ziaul Quamar, Advocate
		Mr. Manzer Karim, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4. 22-01-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is seeking anticipatory bail in
connection with Azamnagar P.S. Case No. 154 of 2018
registered under Sections 341/323/325/307/504/34 of the Indian
Penal Code pending in the court of learned Judicial Magistrate,
1st Class, Katihar.

Learned counsel for the petitioner submits that there is
a case and counter case, the petitioners are having land disputes
and because of that it appears that the alleged occurrence took
place.

Learned A.P.P. is present and has opposed the prayer
for anticipatory bail of the petitioner. It is pointed out that seven
injuries have been found on the body of the injured. The very



first injury reported is a lacerated wound in right side of face lateral to right eye measuring 1" x ½" in size and bone deep which is dangerous for life.

In the given facts and circumstances of the case, this court is of the considered opinion that only because there is a land dispute and the parties are co-villagers/agnates, in the nature of the injuries inflicted upon the vital part of the body allegedly by the petitioner, he would not be entitled for privilege of anticipatory bail.

Accordingly, prayer for anticipatory bail of the petitioner is refused.

In case, the petitioner surrenders in the court below within a period of four weeks from today and prays for regular bail, his prayer for regular bail shall be considered on the basis of the materials available on the record without being prejudiced by the order of this court.

(Rajeev Ranjan Prasad, J)

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