

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48282 of 2019**

Arising Out of PS. Case No.-21 Year-2017 Thana- MATIYARIA District- West Champaran

KHALID ANSARI Son of Mir Hassan Ansari Resident of Sakin - Hoda
Dumra, P.S.- Matiaria, District - West Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Shrivastava

For the Opposite Party/s : Mr.Surendra Kumar

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER**

2 02-08-2019 Heard learned counsels for the parties.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 341,323,324,308,379 and 504/34 of the IPC.

The prosecution case as per the written report of Hassan Ansari submitted to the SHO, Gaunaha Police Station is to the effect that on 13.5.2017 at 2.00 P.M. the informant was at his land and was protesting against the accused persons against the blockade of his right to easement. It is alleged that the petitioner assaulted the informant with Farsa and on alarm when the sons of the informant came to rescue, they were also assaulted by the accused persons. It is also alleged that co-accused Guddu Ansari came armed with rifle and tried to kill the informant. On intervention of the villagers, the informant was rescued.



However, the accused persons took away Rupees Five Thousand from the informant.

It is submitted by learned counsel for the petitioner that the accusation has been levelled in the background of land dispute. It is further submitted that Title Suit No. 33 of 2015 is pending between the parties before the learned Munsif, West Champaran at Bettiah. It is also submitted that the injury on the head of the informant has been found to be superficial simple in nature and there is counter version of the occurrence being Matiarua P.S. Case No. 22 of 2017 registered with the accusation under Sections 447,147,149,323,308 and 504 of the IPC.

Learned APP submits that specific accusation has been levelled against the petitioner.

Considering the accusation being levelled in the background of land dispute and there is counter version of the occurrence, coupled with the statement made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge, West Champaran, Bettiah, in



connection with Matiarua P.S. Case No. 21 of 2017 subject to the
conditions laid down in Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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