

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51916 of 2019

Arising Out of PS. Case No.-416 Year-2017 Thana- RAMNAGAR District- West Champaran

Irfan Sah @ Bandul @ Irfan, Son of Jamil Sah @ Jameel Ahmad Resident of
Village- Manguraha, P.S.- Ramnagar, District- West Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gauri Shankar Thakur

For the Opposite Party/s : Mr.Rabindra Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 20-08-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

Petitioner apprehends his arrest in connection with Ram
Nagar P.S. Case No.416 of 2017, Tr. No.3654 of 2019, for the
offence punishable under Sections 147, 148, 149, 323, 324, 307,
504 of the Indian Penal Code.

The allegation against the petitioner is that petitioner
assaulted the informant by means of knife near his neck causing
injury near the ear of the informant.

Learned counsel for the petitioner submits that petitioner
has falsely been implicated due to village politics and land dispute.
Learned counsel further submits that there is case and counter case
between the parties being Ram Nagar P.S. Case No.423 of 2017 has
been filed by the side of the petitioner, in which informant in this
case is one of the accused. Learned counsel relying upon
Annexure-3 submits that the injury caused to the informant near his



ear is simple in nature and further submits that police submitted final form not sending the petitioner for trial, however, learned Magistrate has differed with the police report and has taken cognizance against the petitioner.

After having heard learned counsel for the petitioner as well as learned counsel appearing on behalf of the State and taking into consideration the fact that both the parties are co-villagers and there is case and counter case and police has submitted final form against the petitioner not sending the petitioner for trial, as such, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, the petitioner, above named, is directed to surrender before the learned Court below within a period of four weeks from today and in the event of surrender by him, he shall be released on anticipatory bail by the Court below upon furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Bagaha, West Champaran, subject to the condition as mentioned under Section 438 (2) of Cr.P.C.

(Anil Kumar Sinha, J)

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