

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49847 of 2019

Arising Out of PS. Case No.-293 Year-2018 Thana- AAJAM NAGAR District- Katihar

MISTER S/o Dabiruddin R/o village- Hura Hazra, P.S.- Azamnagar, District-
Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Musowir

For the Opposite Party/s : Mr.Sanjay Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 16-08-2019 Heard learned counsel for the petitioner and the learned
APP for the State.

The petitioner seeks bail in Azamnagar P. S. Case No.
293 of 2018 instituted for the offence under Section(s) 341,323,
324, 307,379, 354A 504, 506/34 of the Indian Penal Code.

Learned counsel for petitioner submits that there is land
dispute between the parties. There is case and counter case between
the parties. The Mar-pit has taken place from both sides on the date
of occurrence.

The counter case lodged by petitioner's brother, namely,
Md. Kasim against the informant's husband and others is prior to
lodging of this case vide Azamnagar P.S. case no. 292 of 2018 in
which one of the injured, namely, Abdul Barik sustained grievous
injury.

Learned counsel for petitioner submits that in the written



report, there is allegation against this petitioner that he assaulted the husband of informant by means of farsa on head causing head injury. Petitioner is own cousin brother of the informant's husband and there is previous land dispute between the parties. It is alleged that on the date of occurrence informant's husband and her family members forcibly constructed house on the petitioner's land and on objection several person from petitioner's side got injury. The counter case lodged by brother of informant is prior to lodging of the case by informant.

Petitioner is in custody since 28.6.2019.

Considering the aforesaid, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the ACJM 1st Katihar, Dist. Katihar, in connection with Azamnagar P. S. Case No. 293 of 2018 subject to the condition that both the bailors shall be the close relative of the petitioner.

(Sanjay Priya, J)

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