

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72400 of 2019

Arising Out of PS. Case No.-121 Year-2018 Thana- JOKIHAT District- Araria

ALA MAKHTOOR @ ALA MAKHTUR @ ALLA MAKHTOOR S/o- Late
Kalimuddin Resident of Village- Bagdahra, Marn Tola, P.S.- Jokihat, District-
Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jainandra Kumar
For the Opposite Party/s : Mr.Binod Kumar

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

2 27-11-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of
Jokihat P.S. Case No. 121 of 2018, GR No. 1324 of 2018,
disclosing the offence under Section 307 and other allied
Sections of the Indian Penal Code.

For an occurrence said to have taken place on
08.05.2018, two FIRs have been registered including the present
one. It is evident from the First Information Report that some
land dispute between the parties is the reason behind the
occurrence which is said to have taken place when the informant
was filling earth over a piece of land, which, according to the
informant belonged to him and was being used by him as
passage.



Learned counsel appearing on behalf of the petitioner has submitted that the injuries have been found to be simple in nature and what has been alleged in the FIR is the exaggerated version of the said occurrence.

Considering the above submission and the fact that some of the accused persons have been allowed anticipatory bail, this application is allowed. Let the petitioner, above-named, in the event of his arrest/surrender within six weeks from today in the court below, be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand), with two sureties of the like amount, each to the satisfaction of learned CJM, Araria in Jokihat P.S. Case No. 121 of 2018, GR No. 1324 of 2018, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/ Court, as the case may be, as and when required and in the event of failure on his part to appear before the court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Rajesh/-

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