

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77703 of 2019

Arising Out of PS. Case No.-108 Year-2018 Thana- ALINAGAR District- Darbhanga

MD. ABID @ ABID HUSSAIN S/O- Masleuddin Ansari Resident of Village
- Manhar, Post Office- Hariyath, Police Station - Alinagar, District –
Darbhanga. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Prasad
For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 03-12-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Alinagar P.S. Case No. 108 of 2018, G.R. No. 523 of 2018, registered for the offence punishable under sections 147, 148, 149, 447, 448, 341, 323, 307, 354, 380, 506 and 504 of the Indian Penal Code.

As per allegation made in the F.I.R., the accused persons including the petitioner are said to have assaulted the informant and his family members. It is stated that the petitioner has assaulted the son of the informant on his head as a result of which he fell down.

It is submitted by the learned counsel for the petitioner that both sides belong to the same family. There was dispute of partition between them and the dispute escalated in



fight resulting in case and counter case between the parties, the FIRs of which are on record as Annexures 1 and 2 to the application. It is further submitted that injuries sustained to all persons of both sides including the son of the informant are simple in nature except one Washi Ahmad, from the side of the petitioner, who has sustained grievous injury. It is further submitted that petitioner has a clean antecedent.

Having heard the learned counsel for the parties and taking into consideration the fact that there was a case and counter case between the parties, who are relatives and there is pending dispute over partition, the above named petitioner is directed to surrender in the court below within a period of six weeks from today and in the event of his arrest or surrender, he shall be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-divisional Judicial Magistrate, Benipur. in connection with Alinagar P.S. Case No. 108 of 2018, G.R. No. 523 of 2018, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Partha Sarthy, J)

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