

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7041 of 2020

Arising Out of PS. Case No.-121 Year-2017 Thana- BELA District- Sitamarhi

MD. SHAHID @ SHAHID S/O Ali Husain Resident of Village - Narharpur,
P.S. - Bajpatti, District - Sitamarhi.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 25-06-2020 As of now the Courts have not resumed normal physical hearing, the matter has been listed today for consideration through Video Conferencing.

The learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual court proceedings from their homes, all with the aid of audio visual technology.

Heard learned Counsel for the petitioner and the learned Counsel for the State.

Petitioner apprehends arrest in Bela PS Case No. 121 of 2017 registered under Sections 341, 323, 324, 307 and 504/34 of the IPC.

The informant alleges that all accused persons, including the petitioner, have come to his shop on 8.5.2017 and assaulted the informant resulting in his injuries.

Learned Counsel for the petitioner submits that the allegation of assault by means of farsa and spear was attributed against co-accused Kalam, Shamim and Jahoor, who have been



allowed anticipatory bail as per submissions made on behalf of the petitioner in Cr. Misc. No., 1612 of 2018 (Annexure 3). Against the petitioner, there is an allegation that he was armed with danda and has assaulted by means of the same. It is submitted that he has no criminal antecedent. Parties are next door neighbours and implication is founded on earlier land dispute between the parties.

Learned APP for the State has opposed the prayer for anticipatory bail.

Having considered the rival submissions this Court is inclined to grant the privilege of anticipatory bail to the petitioner.

Accordingly, let the petitioner above named, in the event of arrest or surrender before the court below within four weeks from today, 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 SDJM, Sadar, Sitamarhi in Bela PS Case No. 121 of 2017 subject to all conditions as laid down in Section 438(2) of the Criminal Procedure Code as also the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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