

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24437 of 2020

Arising Out of PS. Case No.-251 Year-2017 Thana- BHARGAMA District- Araria

MD. JAHANGIR @ MD. JAHANGIR ALAM @ JAHANGIR ALAM S/o
Late Sirajuddin Resident of Village-Charrapatti, P.S-Bhargama, District-
Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Mrigendra Kumar, Adv.
For the Opposite Party/s	:	Mr. Md. Sufyan, APP
For the Informant	:	Mr. Thakur Brajesh Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 22-09-2020 Heard Mr. Mrigendra Kumar, learned counsel for the petitioner, Mr. Thakur Brajesh Singh learned counsel for the informant and Mr. Md. Sufyan, Additional Public Prosecutor for the state through video conferencing.

2. Petitioner seeks regular bail in connection with Bhargama PS Case No. 251/2017 registered for the offence punishable under Sections 147, 149, 341, 323, 324, 325, 354(B), 427, 379, 307, 504, 506 of the IPC.

3. The allegation against the petitioner as per First Information Report is that the petitioner along with seven other co-accused persons, all armed with weapons, started cutting paddy crops from the land of informant and upon objection by the informant, the petitioner ordered co-accused persons to kill and upon his behest, one co-accused, Md. Alamgir assaulted the



informant by means of Dabia and petitioner assaulted one Sajjad by means of Farsa.

4. Learned counsel for the petitioner submits that both the parties are co-villagers and there is land dispute between them. Learned counsel further submits that there is case and counter case inasmuch as Bhargama PS Case No. 252/2017 has been lodged by the side of the petitioner against the informant for an occurrence which has taken place on the same day and time. Learned counsel further submits that perusal of the injury report which is Anneuxre-3 of this application, it would be evident that the injuries caused to the informant as well as to one Md. Sajjad have been found to be simple in nature.

5. Learned counsel further submits that Md. Alamgir upon whom, there is allegation of assault by means of Dabia upon the informant, has been granted anticipatory bail by this Court vide Cr. Misc. No. 38683/2019. Learned counsel also submits that the criminal cases which are stated in para-3 of this application as antecedents of the petitioner, the petitioner, in most of them, has been allowed bail.

6. On the other hand, learned counsel for the informant vehemently opposes the prayer for bail and submits



that petitioner has got criminal antecedents and the assault made by the petitioner to one Sajjad, is on vital part of the body, i.e. head.

7. Having regard to the submissions made by the parties and taking into consideration the material on record and the fact that the injuries caused to the informant and one another, have been found to be simple in nature, I am inclined to grant regular bail to the petitioner.

8. Accordingly, let the petitioner, MD. JAHANGIR @ MD. JAHANGIR ALAM @ JAHANGIR ALAM be released on bail, if he is not required in any other case, on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate- 1st Class, Araria in connection with Bhargama PS Case No. 251/2017.

9. It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding lockdown and social distancing.

(Anil Kumar Sinha, J)

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