

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83513 of 2019

Arising Out of PS. Case No.-478 Year-2018 Thana- TRIVENIGANJ District- Supaul

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MOHAMMAD OWESH ALAM @ HAJI OWESH ALAM Son of Late Haji
Mohammad Hanif Resident of Village- Latauna Gaddi, Ward No.07, Police
Station- Triveniganj, District- Supaul

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arun

For the Opposite Party/s : Mr.Rajendra Nath Jha

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 30-06-2020 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Triveniganj P.S. Case No. 478 of 2018, disclosing the offence under Section 307 and other allied Sections of the Indian Penal Code.

Case diary has been called for, which is there on record, from which it transpires that the petitioner and the informant are agnates and the occurrence had taken place in the background of dispute over partition in the family property.

Learned counsel appearing on behalf of the petitioner has submitted that for the same occurrence, case and counter-case have been registered. He further contends that though there is allegation that petitioner gave the informant a single blow



with *farsa* in his head, the injury report suggests that the informant had received three injuries in his head.

Be that as it may, considering the genesis of occurrence, in my opinion, a case for grant of anticipatory bail is made out. 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 ACJM-1st, Supaul in Triveniganj P.S. Case No. 478 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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