

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35740 of 2020

Arising Out of PS. Case No.-166 Year-2020 Thana- PALASI District- Araria

Samal Khan, Son of Late Mahboob Khan, Resident of Village - Bansar, Police
Station - Palasi, District - Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana, Advocate.

For the Opposite Party/s : Ms. Veena Kumari Jaiswal, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 04-05-2021 As prayed for, let the learned counsel appearing for
the petitioner remove the defect(s), as pointed out by the office,
within four weeks of starting of the Court proceeding in
physical mode in normal course.

Heard learned counsel for the petitioner and the
learned A.P.P. for the State through Video Conferencing.

The petitioner apprehends his arrest in connection
with Palasi P.S. Case No. 166 of 2020, registered under Sections
341, 323, 325, 379, 354B, 307 and 504 of the Indian Penal
Code.

The accusation is that due to land dispute, in the
morning of 16.05.2020, sixteen persons named in the FIR



including the petitioner along with 15 to 16 others having lathi and iron rod in their hand came at the courtyard of the informant, Md. Samiya Khan, and laid his daughter on the ground and started to cause assault. At that time, Md. Halim Khan caused fracture injury at the hand of his daughter and Samal Khan (petitioner) also caused injury to her daughter. Thereafter, they tried to press the neck of his daughter. When his wife came to save her daughter then she was also assaulted. In the meantime, all entered in his house and took silver ornaments and cash of Rs.25,000/-.

Learned counsel for the petitioner submits that due to land dispute occurrence took place, in which, petitioner's side also sustained injury, regarding which, Palasi P.S. Case No. 169 of 2020 is also instituted against the informant and his family members on the basis of Fradebyan of daughter of co-accused, Halim Khan. Further submission is that there is specific allegation against Md. Halim Khan to cause fracture injury to the daughter of the informant through iron rod, while no specific overt act has been attributed against the petitioner. Further submission is that petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the



event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-I, Araria, in connection with Palasi P.S. Case No. 166 of 2020, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

Bhardwaj/-

U		T	
---	--	---	--

