

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7175 of 2022

Arising Out of PS. Case No.-428 Year-2020 Thana- AMARPUR District- Banka

MD ISMAIL Son of Late Md. Sabul @ Sabul Mansuri Resident of Village -
Sultanpur, P.s.- Amarpur, Distt.- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Balram Kapri, Adv

For the Opposite Party/s : Mrs. Madhuri Lata, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 01-08-2022 Heard the parties.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

The petitioner apprehends his arrest in a case registered for the offence punishable under section 341, 323, 324, 307, 354, 504 and 506/34 of the Indian Penal Code.

Allegedly, the petitioner along with other co-accused persons were constructing a wall on the land of the informant and when the informant protested against them, the petitioner assaulted the informant and his wife with knife due to which they sustained injuries.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has



been falsely implicated in this case due to grudge and enmity. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. There is an admitted land dispute between the parties. The injuries are simple in nature. Petitioner has no criminal antecedent, which is also mentioned in para-3 of the bail application.

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

Having regard to the facts and circumstances of the case, since there is a land dispute between the parties and the injuries are simple in nature, 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. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in Amarpur P.S. Case No. 428 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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