

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20067 of 2022

Arising Out of PS. Case No.-182 Year-2021 Thana- DARPA District- East Champaran

1. Washi Ahmad @ Sheikh Mohammad Son Of Late Shekh Khalil R/O Village- Siswaniya, P.S.- Darpa, District- East Champaran
2. Sheikh Bhikhari Son Of Late Shekh Khalil R/O - Siswaniya, P.S.- Darpa, District- East Champaran
3. Jabbulah @ Jabbulal @ Dhanhar Son Of Sheikh Bhikhari R/O - Siswaniya, P.S.- Darpa, District- East Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-10-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

Learned counsel for the petitioners seeks permission
to withdraw the present anticipatory bail application with
respect to petitioner nos. 1 and 2.

Permission is accorded.

The petitioner no.3 apprehends his arrest in a case
registered for the offences punishable under Sections 147, 149,
341, 323, 324, 307, 354-A, 379, 504 and 506 of the Indian Penal
Code.

Learned counsel for the petitioner submits that the



petitioner no.3 is a person with clean antecedent and the informant alleges that on 22.11.2021 at 9:30 am while he was working on his land, six accused persons, including the petitioners who are his neighbours, started abusing him and asked why he was working on their land to which the informant protested and thereafter it is alleged that Washi Ahmad assaulted his nephew with an axe causing injury on head, petitioner no. 3 assaulted the informant with *gandasa* causing injury on his hand and thereafter the accused persons assaulted other family members as alleged in the FIR.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and on account of land dispute, the present occurrence took place, it is also submitted that a complaint has been filed from the side of the petitioner also. Learned counsel next submits that injuries suffered by the injured is simple and one injury is grievous but then the FIR does not disclose who caused the grievous injury.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner no.3, in the event of his arrest or surrender before the learned Court below within a



period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten 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 connection with Darpa P.S. Case No. 182 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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