

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34253 of 2021

Arising Out of PS. Case No.-346 Year-2020 Thana- JOGAPATTI District- West Champaran

ALLAUDDIN MIAN Son of Noor Ali Resident of Village - Semari
Bhawanipur, Police Station - Yogapatti (Nawalpur O.P.), District - West
Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anant Kumar Mishra,
Mr. Sanjay Kumar No 7, Advocates.
For the Opposite Party/s : Mr. Rajiv Nayan, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 03-01-2022 Heard Mr. Anant Kumar Mishra, learned counsel for
the petitioner and Mr. Rajiv Nayan, Additional Public
Prosecutor for the State.

Petitioner seeks regular bail in connection with
Yogapatti (Nawalpur O.P) PS Case No. 346/2020 registered for
the offence punishable under Sections 147, 341, 323, 324, 447,
325, 307, 354(B) & 504 of the IPC.

Altogether 14 persons are named in the FIR and they
allegedly, assaulted the informant, his relative and other persons
from the side of the informant. It is further alleged that
petitioner has, allegedly, ordered the co-accused, Godam Ansari
to assault brother of the informant upon which, co-accused,
Maqood and Saddam assaulted him by means of iron rod.



Learned counsel for the petitioner submits that both the parties are co-villagers and there is previous land dispute between them. He further submits that there is case and counter case inasmuch as Yogapatti PS Case No. 342/2020 has been lodged by the side of the petitioner against the informant and others. He further submits that no overt-act has been alleged against the petitioner, he at best, is an order giver and no offence under Section 354(B) has been attributed against the petitioner.

Learned counsel next submits that the petitioner is in custody since 13.12.2020 having no criminal antecedents. Charge-sheet has already been submitted.

Having regard to the submissions made by the parties and taking into consideration the material on record and the fact that both the parties are co-villagers having previous enmity, there is case and counter case between them and petitioner is in custody since 13.12.2020 having no criminal antecedent and charge-sheet has already been submitted, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, ALLAUDDIN MIAN be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah,



West Champaran in connection with Yogapatti (Nawalpur O.P)
PS Case No. 346/2020.

(Anil Kumar Sinha, J)

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