

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40126 of 2021**

Arising Out of PS. Case No.-242 Year-2020 Thana- JOGBANI District- Araria

MD. AIYUB ALAM @ AYUV @ BHUTTO Son of Late Mohan Resident of
Village - Dipaul, P.S.- Jogbani, District - Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana
For the Opposite Party/s : Mr.Jai Narain Thakur

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 21-03-2022 Heard the parties.

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

The petitioner apprehends his arrest in a case in connection with Jogbani (Bathnaha) P.S. Case No.242 of 2020, registered for the offence punishable under Sections 341, 323, 324, 325, 307, 379, 354B, 506, 504/34 of the Indian Penal Code.

The allegation against the petitioner is that he has assaulted the informant by giving farsa blow causing injury on his head in order to kill him, due to a dispute regarding fixing of tent on the land of one Jitendra Ram.

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 previous enmity arising out of a land dispute. For the same occurrence, there is case and counter case between the parties. It is submitted that in the said occurrence, both sides have sustained injuries and the injuries on the person of the informant is simple in nature. Petitioner has three criminal antecedents, as also mentioned in para-3 of this application.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, since there is case and counter-case between the parties and both sides have sustained injuries, 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 connection with Jogbani (Bathnaha) P.S. Case No.242 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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