

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40390 of 2021**

Arising Out of PS. Case No.-105 Year-2021 Thana- ARARIA District- Araria

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AHMAD Son of Fatkan Resident of Village- Safipur, P.S. and District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Mukesh Kumar Rana
For the Opposite Party/s	:	Mr.Narendra Kumar Singh
For the informant	:	Mr. Nifisuzzoha

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 25-01-2022 Heard learned Counsel for the petitioner, learned Counsel for the informant and learned Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with Araria Police Station Case No. 105 of 2021, registered for the offences punishable under Sections 147/148/149/341/323/324/325/307/354-B/379/504 of the Indian Penal Code.

The prosecution case, as per the First Information Report, is that the petitioner has allegedly assaulted the cousin sister of the informant by means of farsha, due to which she sustained head injury and he also tried to outrage her modesty by pulling her cloths.

Learned Counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged



and both the parties are co-villager and there is land dispute between them. He further submits that there is case and counter case inasmuch as Araria Police Station Case No. 123 of 2021 has been lodged by co-accused Md. Falkan against the informant and others. He further submits that the petitioner is in custody since 13.03.2021 and charge sheet has been submitted against the petitioner and as such, there is no likelihood that the petitioner will abscond and/or tamper with the evidence.

On the other hand, learned Counsel for the informant as well as State oppose the prayer for bail and submit that there is direct allegation against the petitioner of assaulting the cousin sister of the informant by farsha, he tried to outrage her modesty and he also snatched her golden ear-ring. They further submit that the injured sustained grievous injury.

Regards being had to the submissions advanced on behalf of the parties concerned and taking into consideration the materials available on record and the fact that both the parties are co-villagers, there is case and counter case between them, charge sheet has already been submitted and the petitioner is in custody since 13.03.2021, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.



Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria, in connection with Araria Police Station Case No. 105 of 2021.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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