

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62909 of 2021

Arising Out of PS. Case No.-226 Year-2021 Thana- BAJPATTI District- Sitamarhi

LADDOO ANSARI Son of Md. Chhote Ansari Resident of Village Balaha
Manorath, Ward No. 11, Police Station - Bajpatti, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha
For the Opposite Party/s : Mr.Arun Kumar Singh

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 04-04-2022 Heard the learned counsel for the petitioner
and the learned APP for the State.

The petitioner seeks regular bail in connection with Bajpatti P.S. Case No. 226/2021, registered for the offence punishable under Sections 341, 323, 324, 307 and 504/34 of the Indian Penal Code.

The allegation is regarding a pre-existing land dispute existing amongst the brothers / cousin brothers and on the fateful night, the informant is alleged to have been assaulted by the petitioner and two other persons. As far as the petitioner is concerned, he is alleged to have



given an axe blow on the forehead of the informant resulting in him sustaining cut injuries, which as per the impugned order dated 13.9.2021 are stated to be incised wounds and the same have been depicted to be- "may be endanger to the life".

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, he is having a clean antecedent and he is languishing in custody since 23.8.2021. The learned counsel for the petitioner has further submitted that the opinion of the Doctor in the injury report does not depict that the said injuries sustained by the informant are grievous in nature and the Doctor has merely stated that the same may be endangering to the life, however, the fact is that the informant is alive as also hail & hearty. It is further submitted that the petitioner is languishing in custody since about eight months and admittedly, there is a pre-existing land dispute in between the parties.



Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the fact that there is a pre-existing land dispute amongst the parties, the petitioner is having a clean antecedent and he is languishing in custody since about eight months, though I deem it fit and proper to admit the petitioner to the privilege of bail, but subject to certain conditions.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate Pupari at Sitamarhi in connection with Bajpatti P.S. Case No. 226/2021.



It is further directed that the petitioner would mark his attendance before the Officer-in-Charge of the concerned police station on each Monday of the week at 10:00 am, till the time charges are framed by the Ld. Court below and in the event of two consecutive defaults, the present privilege of regular bail, being granted to the petitioner herein, shall stand cancelled automatically & the petitioner shall be taken into custody forthwith.

(Mohit Kumar Shah, J)

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