

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67357 of 2021

Arising Out of PS. Case No.-34 Year-2021 Thana- AKBARNAGAR District- Bhagalpur

Md. Maroof @ Md. Maroof Alam, Son of Wasimuddin @ Vasim Ansari
Resident of Village-English Chichoan, P.S. - Akbarnagar, District - Bhagalpur.
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arjun Prasad, Adv.

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 16-05-2022 Heard Mr. Arjun Prasad, learned counsel for the petitioner, Mr. Jitendra Kumar Singh learned APP for the State and Mr. Indeshwari Prasad Mandal learned counsel for the informant.

Let the defect(s), if any, be removed within four weeks.

The petitioner is in judicial custody in connection with Akbarnagar P.S. Case No.34 of 2021 instituted under Sections 341, 323, 448, 147, 149, 307, 384, 385, 506, 325 of the Indian Penal Code.

As per the FIR, it has been alleged that when the informant was taking care of the wheat and musta crops planted in his field, the accused persons including the petitioner herein who all are brothers came to his field and asked that despite being threatened to pay Rs.2,00,000/-(two lacs) or face



consequences, how he had the audacity to enter in the field. Thereafter, it is alleged that they indiscriminately assaulted Md. Firdos Ansari. So far as this petitioner is concerned, it has been alleged in the FIR that he repeatedly gave blows on the hand of the injured person which learned APP has pointed out to be grievous as per the injury report. The FIR was lodged in March 2021 and the petitioner finally was arrested six months later in September 2021 and in between another allegation of assault to the informant's family was lodged vide Akbarnagar P.S. Case No.51 of 2021 on 18.04.2021 under Sections 341, 342, 379, 504 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that due to land dispute there has been cases and counter cases between both the informant's family and the petitioner's family and this FIR is one of such cases.

As per para-3 of the bail application the petitioner has criminal antecedent inasmuch as three cases are lodged against him out of which according to learned counsel for the petitioner in one of them, he has since been acquitted.

Considering the fact that there is allegation against the petitioner of having assaulted Md. Firdos Ansari and the injury has been found to be grievous, he chose to come within the



judicial net for six long month, in between he was part of the group that once again assaulted the informant's son and also has criminal antecedent, this Court is not inclined to grant any relief to him and the bail application is accordingly rejected.

The learned Trial court is directed to conclude the Trial at an earliest.

(Rajiv Roy, J)

Prakash Narayan /-

U		T	
---	--	---	--

