

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6531 of 2023

Arising Out of PS. Case No.-104 Year-2022 Thana- BHARGAMA District- Araria

MD. EQWAL @ MD. AKWAL Son of Md. Jubair R/V- Vishariya, Ward no. 12, P.S- Bhargama, Dist- Araria Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mohammad Sufyan, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

2 17-05-2023 Heard Mr. Mohammad Sufyan, learned counsel for the petitioner and Mr. Yogendra Kumar, learned Additional Public Prosecutor for the State.

2. Petitioner apprehends his arrest in connection with Bhargama PS Case No. 104/2022 dated 19.05.2022 registered for the offence punishable under Sections 147, 148, 149, 341, 323, 427, 379, 354(B), 324, 325, 307, 504 and 506 of the IPC.

3. As per First Information Report, both the parties are co-sharers and there is allegation that accused persons altogether 13 in number including 10 to 15 unknown persons surrounded the informant and his brother Md. Ghaiyur and the petitioner assaulted the brother of the informant by means of *Farsa* on his head and shoulder.

4. Learned counsel for the petitioner submits that there is a case and counter case between the parties and the FIR bearing no. Bhargama PS Case No. 105/2022 (Annexure-2) has



been lodged by the side of the petitioner against the informant and others. There is a land dispute between the parties and the persons from both the sides have sustained injuries and the injury report of the side of the petitioner has been annexed as Annexure-4 Series.

5. Regards being had to the submissions made by the parties, taking into consideration the material on record and the fact that both the parties are co-sharers, there is a land dispute between the parties, there is case and counter case between them and both the parties have sustained injuries, I am inclined to grant anticipatory bail to the petitioner.

6. Accordingly, let the petitioner, named above, in the event of arrest or surrender within four weeks from today, be released on anticipatory bail, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate- 1st Class, Araria/the court concerned in connection with Bhargama PS Case No. 104/2022, subject to the condition as laid down under Section 438(2) CrPC.

(Anil Kumar Sinha, J)

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