

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13804 of 2023

Arising Out of PS. Case No.-277 Year-2022 Thana- SIKTI District- Araria

NAJIM @ MD. NAJIM Son of Mojim Ray @ Md Mojim R/V- Bokantari
Ward no. 4, PS- Sikty, Dist- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh, Advocate

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 23-05-2023 Heard learned counsel for the petitioner and the learned
APP for the State.

The petitioner is apprehending his arrest in connection with Sikty P.S. Case No. 277/ 2022 registered for the offence punishable under Sections 143, 341, 323, 324, 307, 379, 504/34 of the Indian Penal Code (for brevity 'IPC').

There is assault attributed against the petitioner by means of '*farsa*' on the head of informant, while asserting right to property.

Learned counsel for the petitioner submits that the petitioner is having no antecedents. Scuffle ensued in the process of asserting rights over property, which formed the genesis of the dispute between the parties. The essential land dispute has been converted into a criminal offence by lodging of



this First Information Report (for brevity 'FIR') on extraneous considerations. Parties have subsequently compromised the matter, which is obvious from Annexure- 3, copy of the joint compromise petition filed in the court below. The injury sustained has been found simple in nature, which is obvious from the order of the learned Sessions Judge, rejecting petitioner's prayer for anticipatory bail.

Learned APP for the State has opposed the prayer for anticipatory bail.

Having regard to the submissions advanced by the petitioner's counsel, simple nature of injury, implication based on land dispute and the parties having resolved the issued and clean antecedents of the petitioner, this Court is inclined to allow petitioner's prayer for grant of anticipatory bail.

Accordingly, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Araria, in connection with Sikty P.S. Case No. 277/2022, subject to the following conditions:

(i) That one of the bailors of each of the



petitioner will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner concerned. The bailors will also undertake to inform the court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if they fail to do so on two consecutive dates, his bail bonds will be liable to be cancelled.

(Madhuresh Prasad, J)

Raj kishore/-

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