

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.27380 of 2023**

Arising Out of PS. Case No.-762 Year-2022 Thana- DARBHANGA SADAR District-  
Darbhanga

MD SHOUKAT S/O- LATE TAHIR R/o- Bhalni, P.s- Sadar (Mabbi O.P.),  
Distt.-Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Baidya Nath Prasad  
For the Opposite Party/s : Mr. Madhuri Lata

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

- 2      21-07-2023                      1. Heard learned counsel for the petitioner and  
learned A.P.P. for the State.
2. The petitioner apprehends his arrest in a case  
registered for the offences punishable under Sections of the  
Indian Penal Code.
3. The informant alleges that the accused persons  
including the petitioner came and the petitioner assaulted the  
informant by *khanti* causing injury on head.
4. Learned counsel for the petitioner submits that the  
petitioner is a person with clean antecedent.
5. Learned counsel for the petitioner submits that the  
petitioner has been falsely implicated in the present case, it is  
next submitted that on account of dispute relating to land, the



present occurrence is alleged to have taken place in which both side assaulted each other, it is next submitted that, no doubt, the allegation against the petitioner is of assaulting the informant by *khanti* on head leading to grievous injury but then the FIR has not been instituted under Section 307 of the IPC, rather, the FIR has been instituted under Section 325 IPC read with other Sections and Section 325 IPC is bailable which amply demonstrates that the injury though grievous was not dangerous to life.

6. Learned counsel for the petitioner at the cost of repetition submits that the petitioner is a person with clean antecedent and it was basically a dispute relating to land.

7. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

8. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Sadar (Mabbi



O.P.) P.S. Case No. 762 of 2022 subject to the conditions as laid  
down under Section 438 (2) of the Cr.P.C.

**(Satyavrat Verma, J)**

HarshPandey/-

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