

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.28024 of 2023**

Arising Out of PS. Case No.-36 Year-2022 Thana- THAWE District- Gopalganj

ANISH AHAMMAD @ ANISH ALI S/O SAMIM AKHTAR R/O Village-  
Amaithi, P.S- Thawe, Distt.- Gopalganj.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

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

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

**CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH**  
**ORAL ORDER**

- 2      24-05-2023                      1.          Heard learned counsel for the petitioner and  
learned APP for the State.
2.          Petitioner seeks regular bail in connection  
with Thawe P.S. Case No.36 of 2022 dated 23.02.2022  
registered for the offence(s) punishable under Section(s) 341,  
323, 324, 307, 504 and 34 of the Indian Penal Code.
3.          The main submissions advanced by the  
learned counsel for the petitioner are that the petitioner is a  
young person and has fair and clean antecedent and both the  
parties are relatives and there was a dispute with regard to  
raising boundary wall in between both the parties at the relevant  
time of the commission of the alleged occurrence and the same  
is stated to be the genesis of the occurrence, in fact a free fight  
took place in between both the parties on account of the said



dispute and petitioner's aunt Noorkali Khatoon sustained sharp cut injury in that occurrence and on the prosecution side, informant sustained two sharp cut injuries but the same have been opined to be simple in nature and moreover, the said injuries were found as skin deep on the abdomen of the said injured and in between both the parties a title suit is also pending with regard to the said land dispute. Further submissions are that the petitioner has been languishing in jail since 14.02.2023 and against him the investigation has been completed and the real fact is that the informant's son sustained injury by *Karni* (Trowel) which was being used at the time of occurrence in respect of the construction of alleged boundary wall.

4. Learned APP appearing for the State opposes the bail prayer.

5. Considering the above submissions and mainly the petitioner's fair and clean antecedent and his young age as well as the completion of investigation against him and petitioner's plea as to free fight having taken place in between both the parties at the relevant time of the alleged occurrence, in the opinion of this Court a lenient approach can be taken in respect of the petitioner's prayer, let the petitioner be released



on bail in connection with Thawe P.S. Case No.36 of 2022 on  
furnishing bail bond of Rs.10,000/-(Ten Thousand) with two  
sureties of the like amount each to the satisfaction of the Court  
concerned.

(Shailendra Singh, J)

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