

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31579 of 2023

Arising Out of PS. Case No.-1 Year-2023 Thana- BAIRIYA District- West Champaran

HAFIZ MIYAN SON OF JAHAR MIYAN RESIDENT OF VILLAGE-
FATUCHAPRA, PS- BAIRIYA, DISTT- WEST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Umesh Kumar Gupta
For the Opposite Party/s :	Mr. Lalan Kumar
For the Informant :	Mr. Akash Anand

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-07-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State assisted by learned counsel for the
informant.

2. The petitioner apprehends his arrest in Bairiya P.S.
Case No.1 of 2023 registered for the offences punishable under
Sections 341, 323, 324, 307 & 504/34 of the Indian Penal Code
pending in the Court of learned Sessions Judge, West
Champaran at Bettiah.

3. The allegation against the petitioner is that he gave
farsa blow to one Raiful Azam sustaining grievous injury to
him.

4. It is submitted by learned counsel for the petitioner
that no such occurrence as alleged ever took place. He has been



falsely implicated in this case due to land dispute. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is admitted land dispute between the parties. Both sides have filed cases against each other. The injury sustained by the victim is grievous in nature. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State assisted by learned counsel for the informant vehemently opposing the bail petition submitted that considering the nature of the injury petitioner does not deserve bail.

6. Considering the facts and circumstances of case, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.

7. However, if the petitioner surrenders before the learned Court below within six weeks from today and seek regular bail, the learned Court below would pass order in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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