

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46487 of 2023

Arising Out of PS. Case No.-138 Year-2023 Thana- BARSOI District- Katihar

MD. HABEEL SON OF LATE JEEMARUDDIN RESIDENT OF VILLAGE-
JOHARPUR, PS- BARSOI, DIST- KATIHAR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Md. Musowir, Advocate

For the Opposite Party/s : Mrs. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 28-07-2023 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. Petitioner seeks regular bail in connection
with Barsoi P.S. Case No.138 of 2023 dated 05.05.2023
registered for the offence/s punishable under Section/s 448, 341,
323, 324, 325, 379, 354, 307, 504, 506 read with 34 of the
Indian Penal Code.

3. The main submissions advanced by the
learned counsel for the petitioner are that there is a case and
counter case in between both the parties and petitioner's case
was lodged prior to the institution of the FIR of the instant
matter, the petitioner has fair and clean antecedent and in the
present matter two persons are stated to have sustained injuries
and their injury report has been filed before this Court vide
Annexure-3, though the injured Miss Mursida who is informant



of this case has sustained injury on her neck but the said injury has not been specifically attributed against this petitioner and moreover other allegation made by her in the FIR does not get corroboration from the said injury and other injured Md Sadrul's injury has been opined to be simple in nature and the petitioner has been languishing in jail since 03.06.2023 and the alleged occurrence was the result of a land dispute.

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

5. Having considered the facts and circumstances of this case and above submissions and mainly the facts that there is a land dispute in between the parties and the instant case is stated to be the counter blast of the petitioner's case and petitioner has fair and clean antecedent, in my opinion it is a fit case for bail to the petitioner. Accordingly, let the petitioner named-above be released on bail in connection with Barsoi P.S. Case No.138 of 2023 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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