

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4956 of 2024

Arising Out of PS. Case No.-40 Year-2023 Thana- KODHOBARI District- Kishanganj

MAIYODDIN S/O LATE FARMODDIN Resident of village- Kalpir, Ward
no. 3 PS- Kodhobari, Distt.- kishanganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kumar

For the Opposite Party/s : Mr. Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 17-02-2024 1. Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out
of Kodhobari Police Station Case No. 40 of 2023,
disclosing offences under Sections 427, 341, 323, 354(B),
379, 504, 506, 34 of the Indian Penal Code.
3. As per the prosecution case, on 08.09.2023, in the
evening, police came at the house of the informant for
inquiry, regarding Kodhobari P.S. Case No. 39 of 2023,
and the petitioner disclosed the fact correctly before the
police, thereafter, the police party went away. In the
meanwhile, FIR named accused persons arrived at the
house of the informant along with *lathi* and *danda*,
abused the informant and assaulted him brutally and when



the villagers, Sabista Khatoon and Md. Yusuf, intervened, in order to save the informant, they assaulted them also and disrobed Sabista Khatoon.

4. Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in the present case as a counterblast to the FIR lodged by the petitioner, bearing Khodhobari P.S. Case No. 39 of 2023, against the informant and others on 09.09.2023, thereafter, the present concocted FIR has been lodged on 10.09.2023. He further submits that both the parties are closed neighbor and no injury report has been brought on record by the prosecution.
5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that both the parties are neighbor, there is a case and counter case between them and no injury report has been brought on record by the prosecution, I am inclined to grant the petitioner privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. Let the petitioner, Maiyoddin, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/-



(ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Kishanganj, in connection with Kodhobari Police Station Case No. 40 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

HarshPandey/-

U		T	
---	--	---	--

