

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22311 of 2024

Arising Out of PS. Case No.-48 Year-2020 Thana- AMAUR District- Purnia

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Gulam Sarwar @ Md. Sarwar S/o Late Yasein R/o village - Salta (Silta)
Panchayat - Hafoniya, P.S. - Amour, Distt. - Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Md Qumrul Hoda, Advocate

For the Opposite Party/s : Mr. Syed Mojibur Rahman, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 20-03-2024

1. Heard learned counsel for the parties.

2. By the instant application, the petitioner has renewed his prayer for grant of anticipatory bail in connection with Amour P.S. Case no.48 of 2020 registered under sections 379, 341, 328, 308, 504, 506 and 34 of the Indian Penal Code.

3. The earlier prayer for anticipatory bail of the petitioner was rejected vide order dated 24.2.2021 passed in Cr. Misc. no.30556 of 2020.

4. As per the prosecution case, on the orders given by Md. Khalil, it is stated that the petitioner herein struck with a brick causing grievous injury on the head of the brother of the informant which was confirmed from the CT scan report also.

5. Learned counsel for the petitioner submits that the earlier prayer for anticipatory bail was rejected vide order dated



24.2.2021 passed in Cr. Misc. no.30556 of 2020. Subsequent to the rejection on 24.2.2021, the parties entered into a compromise and a joint compromise petition dated 13.5.2022 (Annexure-P/4) was filed in the Court of learned Judicial Magistrate 1st Class, Purnea and the petitioner renewed his prayer for anticipatory bail before the learned Sessions Judge which however, was rejected vide order dated 14.7.2022 passed in A.B.P. no.725 of 2022. It is further submitted that the case between the parties is purely of land dispute. There is case and counter case between the parties and now with the passage of time and settlement, none of the parties are interested in the proceeding with this case. Hence, this application.

6. Heard learned A.P.P. for the State.

7. Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R. against the petitioner of having struck the brother of the informant with a brick on his head causing grievous injuries which was confirmed from the CT scan report together with the earlier application for anticipatory bail of the petitioner having been rejected as far back as on 24.2.2021 (Annexure-P/1), this Court finds no fresh ground for entertaining the instant application nor does it find any merit in the same.



8. This second application for anticipatory bail is rejected.

9. The petitioner is directed to surrender in the learned Court below within a period of four weeks.

(Partha Sarthy, J)

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