

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.28110 of 2024**

Arising Out of PS. Case No.-453 Year-2023 Thana- JOKIHAT District- Araria

Md. Aslam @ Mohammad Aslam @ Bikya Son of Md. Nasiruddin @  
Nasiruddin Resident of Village- Uda Ward No. -05, P.S.- mahalgaon, Dist.-  
Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                      |   |                                                                  |
|----------------------|---|------------------------------------------------------------------|
| For the Petitioner/s | : | Mr. Pranav Kumar Jha, Advocate<br>Mr. Subodh Kumar Jha, Advocate |
| For the Informant    | : | Mr. Majid Mahboob Khan, Advocate                                 |
| For the State        | : | Mr. Binod Kumar, APP                                             |

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      08-05-2024                      Heard Mr. Pranav Kumar Jha, learned counsel for  
the petitioner, Mr. Majid Mahboob Khan, learned counsel for  
the informant and Mr. Binod Kumar, learned APP appearing on  
behalf of the State.

2. The petitioner is apprehending his arrest in  
connection with Jokihat (Mahalgaon) P.S. Case No. 453 of  
2023, F.I.R. dated 21.09.2023 for the offences punishable under  
Sections 341, 342, 323, 324, 307, 379, 504, 506 and 34 of the  
Indian Penal Code.

3. According to prosecution case, the petitioner along  
with other co-accused persons is said to have intercepted the  
motorcycle of Mahfooz Alam and snatched the key of his



vehicle and started abusing the assaulting him by means of lathi, danda, rod, fists and kicks. It is further alleged that petitioner assaulted to one Mahfooz on four places of his left side of abdomen, forehead and both arms by knife blow and also snatched Rs. 25,000/- and a mobile from him.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that from a bare perusal of the FIR it appears that due to admitted land dispute between the parties the present occurrence has taken place. He further submits that there is case and counter case between the parties. He further submits that although there is allegation against the petitioner that he has assaulted to the brother of the informant and due to the present occurrence the informant's side has received the injury.

5. Learned Additional Public Prosecutor for the State as well as learned counsel for the informant, on the other hand, have vehemently opposed the prayer for bail of the petitioner and submit that there is specific allegation against the petitioner that he has assaulted upon the brother of the informant with the knife and he had stabbed four times to the brother of the informant.



6. Considering the allegation as alleged in the F.I.R and the material available on record, I am not inclined to grant the privilege of anticipatory bail to the petitioner in connection with JokiHat (Mahalgaon) P.S. Case No. 453 of 2023 pending in the court of learned Chief Judicial Magistrate, Araria.

7. Prayer is refused.

**(Rajesh Kumar Verma, J)**

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