

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28524 of 2024

Arising Out of PS. Case No.-134 Year-2023 Thana- TARABARI District- Araria

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1. Md. Alam Son of Md. Siraz Resident of Village - Jamua, Ward No. 09, P.S. - Tarabari, District - Araria (Bihar)
 2. Md. Harish Son of Md. Tahir Resident of Village - Jamua, Ward No. 09, P.S. - Tarabari, District - Araria (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gopal Kumar Jha
For the Opposite Party/s : Mr.Anuj Kumar Shrivastava

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 18-09-2024 1. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Tarabari Police Station Case No. 134 of 2023, dated 03.12.2023, disclosing offences punishable under Sections 341/323/324/307/354-B/379/504/506/34 of the Indian Penal Code.
3. The prosecution case, as per the First Information Report, is that on 02.12.2023, the petitioners, along with other accused persons, started abusing and fighting with the informant and others over a land dispute. The petitioner no. 1 started slitting the throat of the informant and the



petitioner no. 2 assaulted the informant on his head by means of sword.

4. Learned Counsel for the petitioners submits that there is land dispute between the parties, for which a counter case has also been lodged by the father of the petitioner no. 1 against the informant and others being Tarabari Police Station Case No. 135 of 2023, under Sections 341/323/324/307/354-B/379/504/506/34 of the Indian Penal Code. The injuries sustained by the informant are simple in nature.
5. Learned Additional Public Prosecutor, referring to the case diary, submits that it is correct that the doctor has opined the injuries upon the informant as simple.
6. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that there is land dispute, case and counter case is also there and injuries caused to the informant are simple in nature, I am inclined to grant the petitioners privilege of anticipatory bail.
7. This application is, accordingly, allowed.
8. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period



of four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Araria, in connection with Tarabari Police Station Case No. 134 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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