

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27834 of 2024

Arising Out of PS. Case No.-615 Year-2023 Thana- MUFFASIL District- West Champaran

Altaf Hussain S/o- Baidullah Ansari @ Abaidullah Miya @ Abdullah Ansari
Village- Gurmaliya Shiwala Tola, P.S. Manuapul O.P., District- West
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Javed Aslam

For the Opposite Party/s : Mr.Satya Nand Shukla

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 26-06-2024 Heard learned Counsel for the petitioner, learned
APP for the State and counsel for the informant.

2. The petitioner is apprehending arrest in a case registered for the offences punishable in connection with Bettiah Muffasil (Manuapul O.P.) P.S. Case No.615 of 2023 under Sections 147, 148, 149, 341, 323, 324, 307, 504 and 506 of the Indian Penal Code. Later on section 302 of the I.P.C. was added in this case.

3. As per the prosecution, the FIR has been lodged against 13 named accused persons other than the petitioner against whom there is allegation of assault to the informant and his father due to which injury took place over the head by the *farsa* and other weapons.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He submits that a long pending dispute relating to land and orchard is going on between the informant and petitioner's family.

5. Counsel further submits that for the said alleged date and place of occurrence 18.09.2023, the present case has been filed and for the same date and place of occurrence, the informant has also filed a criminal miscellaneous which is Annexure-2 of the bail petition. When the informant's side of the present case received information that criminal case has been filed against him at the instance of the present petitioner though he was not named in the F.I.R., they have persuaded the police and subsequently levelled his name in the present case.

6. Counsel further submits that dispute between them is going on and for that Annexure-3 in the bail petition is also filed which is a case pending between the informant and petitioner's family.

7. Counsel also submits that the other co-accused has been granted bail by the Co-ordinate Bench and by this Court vide orders dated 01.05.2024 and 10.05.2024 passed in Cr. Misc. No. 25126/2024 and Cr. Misc. No.24171 of 2024.

8. Learned APP for the State opposes the prayer for



bail.

9. Learned counsel for the informant vehemently opposes the prayer for bail and submits that it is true that there is case and counter-case between the parties.

10. In the present facts and circumstances, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 4 weeks from today, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Bettiah Muffasil (Manuapul O.P.) P.S. Case No.615 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dr. Anshuman, J.)

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