

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30528 of 2024

Arising Out of PS. Case No.-403 Year-2023 Thana- FALKA District- Katihar

Mukhtar @ Md. Mukhtar Son of Md. Asfaque Resident of Village- Bari
Chakar, P.S.- Falka, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajendra Prasad Sah, Advocate
For the Opposite Party/s : Mr.Bharat Lal, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

3 21-09-2024 1. Heard learned Counsel for the petitioner and
learned APP for the State.

2. This application, for grant of anticipatory bail, arises out of Falka PS case no. 403 of 2023, disclosing offences punishable under Sections 307, 386 and other allied sections of the Indian Penal Code and Section 27 of the Arms Act.

3. The prosecution story, as per the First Information Report, is that on 14.11.2023, the petitioner demanded Rs. 50,000/- as extortion money from the informant and on refusal, the informant was assaulted. It has further been alleged that petitioner snatched Rs. 10,000/- along with one mobile phone from the possession of the informant and thereafter, he



fired upon him, which passed through the leg of the informant.

4. Learned Counsel for the petitioner submits that petitioner has not committed any offence in the manner alleged, petitioner and informant are co-villagers and due to village rivalry, he has been made accused in this case. Learned counsel further submits that firing allegedly made by the petitioner, did not hit or injured the informant or anybody else. He also submits that both parties have compromised the dispute and a joint compromise petition has been filed before the learned court of District & Sessions Judge, Katihar.

5. Regard being had to the submissions made on behalf of the parties and taking into consideration the fact that firing made by the petitioner did not hit the informant and no firearm injury has been caused, I am inclined to grant the privilege of anticipatory bail to the petitioner.

6. This application is, accordingly, allowed.

7. Let petitioner, abovenamed, in the event of his arrest or surrender before the Court below within six 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, Katihar in connection with Falka PS case no. 403 of 2023, subject to the



condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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