

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31422 of 2024

Arising Out of PS. Case No.-331 Year-2023 Thana- KHAJEKALA District- Patna

Md. Kaif @ Mds. Kaif Son of Akhtar Alam R/o Muhalla- Shah Ki Imlee,
P.S.- Khajekala, Dist.- Patna

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shambhu Sharan Kumar

For the Opposite Party/s : Mr. Md. Shakir Ahmad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 21-09-2024 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Khajekala Police Station Case No. 331 of 2023, dated 11.08.2023, disclosing offences under Sections 341/323/379/307/354/447/448/504/506/34 of the Indian Penal Code.
3. The prosecution case, as per the First Information Report, is that the petitioner, along with other accused persons, used to misbehave with the daughter of the informant. It is alleged that on 03.08.2023, at about 08:30, when the daughter of the informant was alone in her house, the petitioner, along with co-accused Ataul Rahman, entered into the house and started molesting the informant's



daughter, however, any how she fled away and called her elder brother. It has further been alleged that the petitioner along with co-accused person assaulted the son of the informant. It has next been alleged that when the informant, along with his two sons, reached the house of the accused persons, all the accused persons assaulted them and the petitioner, along with co-accused Ataul Rahman, assaulted them by means of pistol butt and hockey stick due to which they sustained injuries.

4. Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in the present case due to previous dispute related to passage/drainage of the house. The petitioner and the informant are close door neighbours. He next submits that the injury sustained by the informant is simple in nature.
5. Regards being had to the submissions made on behalf of the parties and taking into consideration the fact that the petitioner and the informant are neighbours, there is previous dispute regarding drainage and the injuries sustained by the informant is simple in nature, I am inclined to grant the petitioner privilege of anticipatory bail.



6. This application is, accordingly, allowed.
7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Patna City, Patna, in connection with Khajekala Police Station Case No. 331 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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