

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41796 of 2024

Arising Out of PS. Case No.-598 Year-2023 Thana- SIKARPUR District- West Champaran

MURTUZA KHALIFA @ SHEIKH MURTUZA SON OF LATE
KHEDARUL @ SHEIKH KHEDARUL VILLAGE- NAUTANWA, P.S.-
SHIKARPUR, DISTT.- WEST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar
For the Opposite Party/s : Mr. Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

- 2 02-08-2024 1. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of regular bail, arises out of Shikarpur Police Station Case No. 598 of 2023, dated 17.07.2023, disclosing offences under Sections 147/148/149/447/341/323/324/307/504/506 of the Indian Penal Code and Section 27/25(1-B)A/26/30/35 of the Arms Act and subsequent added Section 302 of the Indian Penal Code.
3. The prosecution case, as per the First Information Report, is that on 17.07.2023, in the morning, when the informant, along with his family members, went to the



field for sowing paddy crop, in the meanwhile, the petitioner, along with other accused persons, arrived there, started abusing and prevented the informant from sowing the crop. It has further been alleged that the petitioner inflicted farsa blow on the head of the informant due to which he sustained injury. The co-accused Nabil Ahmad fired upon cousin of the informant, namely, Iliyas, who died subsequently during course of the treatment.

4. Learned counsel for the petitioner submits that the occurrence took place due to land dispute between the parties and there is counter version of the case lodged by the side of the petitioner against the informant and other, bearing Shikarpur Police Station Case No. 599 of 2023. The allegation of assault against the petitioner is upon informant, namely, Mohd. Noorshad, who has sustained simple injury as would be evident from the injury report at Annexure-3. The petitioner, having no criminal antecedent, is in custody since 19.03.2024.
5. Regards being had to the submissions made by the parties and taking into consideration that the petitioner is in custody since 19.03.2024 and injury caused to the



informant is simple in nature, I am inclined to grant regular bail to the petitioner.

- 6. This application is, accordingly, allowed.
- 7. Let the petitioner, above named, 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 Chief Judicial Magistrate, Bettiah, West Champaran in connection to the Shikarpur Police Station Case No. 598 of 2023.

(Anil Kumar Sinha, J)

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