

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48709 of 2024

Arising Out of PS. Case No.-901 Year-2023 Thana- GOPALGANJ TOWN District-
Gopalganj

=====

Mohammad Kaif @ Md. Kaif Son of Md. Kalim Resident of Vill- Fathan, P.S.
Gopalganj Town, District- Gopalganj

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :
For the Petitioner/s : Mr. Javed Aslam
For the State : Dr. Ajeet Kumar
For the Opposite Party : Mr. Dharamveer

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 07-08-2024 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 Gopalganj Town Police Station Case No. 901 of 2023,
dated 13.11.2023, disclosing offences under Sections
341/323/307/504/506/34 of the Indian Penal Code.
3. The prosecution case, on the basis of the First Information
Report, is that on 12.11.2023, while the informant was
sitting at his door, the petitioner, along with other accused
persons, arrived there started abusing and searching for
the informant's uncle. The petitioner assaulted the
informant by means of knife, due to which the informant



sustained injury on his back.

4. Learned Counsel for the petitioner submits that both the parties are co-sharer and there is land dispute between them. Counter case has also been lodged by the side of the petitioners, bearing Gopalganj Police Station Case No. 897 of 2023, dated 12.11.2023, against the informant and others. The allegation against the petitioner is that he inflicted knife blow on the back of the informant, but the same has not been corroborated in the injury report annexed at Annexure-4 series. Injury caused to the informant is simple in nature expect one grievous injury, which has been caused by hard and blunt substance.
5. Learned counsel for the informant opposes the prayer for bail and submits that there is specific allegation against the petitioner, who assaulted the informant by means of knife on his back.
6. Regards being had to the submissions made on behalf of the parties and taking into consideration the fact that both the parties are co-sharer, having land dispute, and counter-case has also been lodged by the side of the petitioners, I am inclined to grant the petitioner privilege of anticipatory bail.



7. This application is, accordingly, allowed.
8. 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 Chief Judicial Magistrate, Gopalganj, in connection with Gopalganj Town Police Station Case No. 901 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

ashwani/-

U		T	
---	--	---	--

