

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.58949 of 2024

Arising Out of PS. Case No.-154 Year-2024 Thana- JAGDISHPUR District- Bhagalpur

Ahsan Raza @ Bhutto Miyan son of Late Md. Soib Village- Salimpur
Baluwabari Ps- jagdishpur Dist- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha

For the Opposite Party/s : Mr. Abhay Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

2 11-09-2024 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 Jagdishpur Police Station Case No. 154 of 2024, disclosing offences under Sections 341, 323, 354, 307, 379, 448, 504, 506, 34 of the Indian Penal Code and Section 27 of the Arms Act and ³/₄ of the Explosive Substance Act.

3. As per the allegation, on 16.02.2024, the petitioner along with other accused person abused and pulled the informant out from the house on the disputed passage. The accused persons sat on the chest of the informant and also pressed her neck. When the informant raised alarm, the nearby people assembled and upon seeing the people, the accused persons started fleeing away, hurdled bomb and also resorted to firing.

4. Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in the present case due to previous dispute regarding passage. Three criminal cases, stated in paragraph 3 of this application, have been lodged by the side of the



informant. No injury has been caused to the informant and others due to alleged firing made by the petitioner. The allegation against the petitioner is fabricated and concocted.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that no serious injury has been caused to the informant and nobody has sustained injury due to alleged firing made by the petitioner and there is a long standing dispute between the parties regarding passage, 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) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur, in connection with Jagdishpur Police Station Case No. 154 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

HarshPandey/-

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