

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63103 of 2023

Arising Out of PS. Case No.-287 Year-2023 Thana- KISHANGANJ District- Kishanganj

1. MD. SHAMIM @ MD. SHAMIM AKHTER son of Md. Sajiruddin Village-Mohammadpur Uttar Tola W.No-5, Ps- Kishanganj Dist- Kishanganj
2. Afsar Alam @ Md. Afsar Alam son of Md. Sajiruddin Village-Mohammadpur Uttar Tola W.No-5, Ps- Kishanganj Dist- Kishanganj
3. Perwez Alam @ Md. Parvej Alam son of Md. Sajiruddin Village-Mohammadpur Uttar Tola W.No-5, Ps- Kishanganj Dist- Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajeev Ranjan Mr. Ram Prawesh Kumar
For the Opposite Party/s	:	Mr. Yogendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 4 15-03-2024 1. In the order dated 29.02.2024, inadvertently, criminal miscellaneous number has wrongly been mentioned as Cr. Misc. No. 63130 of 2023 instead of Cr. Misc. No. 63103 of 2023.
2. Accordingly, let it be corrected and read as Cr. Misc. No. 63103 of 2023.
3. The order dated 29.02.2024 passed in Cr. Misc. No. 63130 of 2023 shall be read and treated as part of the order passed in Cr. Misc. No. 63103 of 2023 and the same is being reproduced herein:-

“1. Heard learned Counsel for the



petitioners and learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail, arises out of Kishanganj Police Station Case No. 287 of 2023, disclosing offences under Sections 341, 323, 324, 354, 379, 307, 447, 448, 506, 34 of the Indian Penal Code.

3. As per the allegation, the petitioner No. 1 and 3 caught hold the brother of the informant and petitioner No. 2 assaulted the informant's brother by means of farsa on his head.

4. Learned Counsel for the petitioners submits that there is delay, of eight days, in lodging of the FIR. Both the parties are from the same village and the occurrence has taken place due to village dispute. Learned counsel next submits that the parties have entered into compromise and a joint compromise petition has been filed before the Court of learned C.J.M., Kishanganj.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that both the parties are co-villagers and the occurrence has taken place due to village dispute and parties have submitted joint petition, I am inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly,



allowed.

7. Let the petitioners, above named, in the event of their 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, Kishanganj, in connection with Kishanganj Police Station Case No. 287 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.”

4. The N.I.C. is directed to delete the order dated 29.02.2024 passed in Cr. Misc No. 63130 of 2023.

(Anil Kumar Sinha, J)

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