

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.68869 of 2024**

Arising Out of PS. Case No.-409 Year-2024 Thana- BUXAR District- Buxar

Md. Aaftab @ Tetar @ Aaftab Shah @ Aftab S/o- Allauddin Shah R/o- Ward No-29, Koirpurva PS- Buxar (T), Dist- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate  
For the Opposite Party/s : Mr. Awadhesh Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY  
ORAL ORDER**

2      18-10-2024                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Buxar Town P.S. Case No.409 of 2024 instituted for the offence under Sections 126(2), 115(2), 109 of Bharatiya Nagarik Suraksha Sanhita, 2023.

3. The case of the prosecution is that the petitioner hit the hammer on the head of the informant's brother while they were having talk about compromise regarding their land dispute.

4. Learned counsel appearing on behalf of the



petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this case. It has further been submitted that there is also a counter version of this case. Admittedly there is a land dispute between the parties. The petitioner is having no criminal antecedent. From the order of the learned trial court, it is clear that the Doctor has found two injuries, one on the head and the other is pain and swelling of right shoulder joint. The nature of the injury is simple. There is no repetition of the blow.

5. In contra, learned APP appearing for the State has opposed the prayer of bail of the petitioner.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Buxar Town P.S. Case No.409 of 2024, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar subject to the conditions as laid down under section 438(2) of the Cr.P.C.



7. Accordingly, the present bail application stands  
allowed.

**(Ashok Kumar Pandey, J)**

durgesh/-

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