

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71179 of 2024**

Arising Out of PS. Case No.-129 Year-2024 Thana- SAHEBPUR KAMAL District-
Begusarai

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Md. Zafar @ Md. Zafar @ Md. Zafar Ikabal S/o Md. Ikabal Ahmad R/o
Village- Sahebpur Kamal, West, P.S.- Sahebpur Kamal, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 211-11-2024
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 Sahebpur Kamal Police Station Case No. 129 of 2024, for the offences punishable under Sections 147, 149, 341, 323, 307, 379, 385, 338, 504, and 506 of the Indian Penal Code.

3. The prosecution case, as per the First Informant Report, is that on 04.05.2024, the petitioner, along with other accused persons, armed with lathi, danda, iron-rod and pistol, arrived at the house of the informant and the co-accused persons caught hold her father and assaulted him by means of iron-rod on his head. Co-accused persons



also assaulted the aunt of the informant, looted the household article. The allegation against the petitioner is that he, along with co-accused Md. Ezaj resorted to firing.

4. Learned Counsel for the petitioner submits that both the parties are neighbours and they have been made accused due to previous enmity. He further submits that a counter case, bearing Sahebpur Kamal P.S. Case No. 131 of 2024, has also been lodged by the side of the petitioner against the informant. He further submits that the allegation against the petitioner is general and omnibus in nature and nobody has sustained fire arm injury due to the firing resorted by the petitioner. He further submits that similarly situated co-accused person, namely, Md. Ezazul Haque and others have been granted anticipatory bail by this Court, vide order, dated 28.10.2024, passed in Criminal Misc. No. 71889 of 2024.
5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that both the parties are agnates, there is a case and counter case between the parties, no fire-arm injury has been caused to anyone and similarly situated co-accused has been granted anticipatory bail by this Court, 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 from today, 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 A.C.J.M. IV, Begusarai, in connection with Sahebpur Kamal Police Station Case No. 129 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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