

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78639 of 2023

Arising Out of PS. Case No.-144 Year-2023 Thana- FALKA District- Katihar

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1. MD. AZAD S/O LATE ASTAB ALI R/O VILLAGE- SAIRA MALIK, P.S-FALKA, DISTT.- KATIHAR.
 2. MD. SAFIQUE S/O MD. AZAD R/O VILLAGE- SAIRA MALIK, P.S-FALKA, DISTT.- KATIHAR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Musowir

For the Opposite Party/s : Mr. Pranav Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 10-01-2024 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 Falka Police Station Case No. 144 of 2023, dated 10.05.2023, disclosing offences under Sections 341/323/307/379/504/506/34 of the Indian Penal Code.
3. The prosecution case, as per the First Information Report, is that on 09.05.2023, the petitioner no. 1 starting digging soil inside the well of homestead land of the informant and upon objection, the scuffle took place and the petitioner no. 1 pulled the informant's son on the ground. It has further been alleged that the petitioner no. 2



assaulted the informant's son by means of spade on his chest.

4. Learned counsel for the petitioners submits that there is land dispute between the parties and a counter case, bearing Falka Police Station Case No. 153 of 2023, has also been lodged by the side of the petitioners against the informant and his family members and the injury caused to the informant's son is simple in nature as would be evident from the injury report annexed at Annexure-3.
5. Regards being had to the submissions made on behalf of the parties and taking into consideration the fact that there is land dispute between the parties, case and counter case are also there and the injury caused to the informant's son is simple in nature, I am inclined to grant the petitioners 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) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Katihar, in connection with Falka Police



Station Case No. 144 of 2023, subject to the condition
laid down under Section 438 (2) of the Code of Criminal
Procedure.

(Anil Kumar Sinha, J)

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