

Arising Out of PS. Case No.-333 Year-2023 Thana- SAKRA District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madan Kumar

For the Opposite Party/s : **Mr. Jagdhar Prasad**

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 07-05-2024 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State along with learned counsel appearing
on behalf of the informant.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 147, 148, 341, 323, 324, 307, 504, 506 and 34 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case with an allegation that he assaulted the grandson of the informant by an iron rod causing injury on his hand. It is next submitted that petitioner is brother-in-law (*Dewar*) of the informant and there is an admitted land dispute in between the parties as would manifest from the allegation as alleged in the FIR, based on which, the entire family members have been implicated



including the petitioner.

4. The learned counsel for the petitioner submits that petitioner and the informant are related and from perusal of the allegation as alleged in the FIR, it would manifest that there is an admitted dispute relating to land and the informant alleges that the petitioner along with other accused persons had come on her land for fixing a pillar which was objected by the informant, on which she was abused and when her grandson came to save her, it is alleged that this petitioner assaulted him by an iron rod causing injury on hand.

5. The learned counsel for the petitioner next submits that petitioner is not a criminal and on account of dispute relating to land, an altercation took place in which both sides assaulted each other and from side of the petitioner also, Complaint Case No. 2945 of 2023 has been instituted. It is also submitted that from perusal of the injury report, it would manifest that the grandson of the informant received grievous injury on mandible, but then from perusal of the allegation as alleged in the FIR, it would manifest that specific allegation of assaulting the injured by the petitioner is on his hand.

6. Learned A.P.P. for the State along with learned counsel appearing on behalf of the informant opposes the prayer



for anticipatory bail of the petitioner, but then are not in a position to rebut the submissions of the learned counsel for the petitioner that specific allegation against this petitioner is of assaulting the injured by an iron rod on his hand and not on the mandible.

7. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Sakra P.S. Case No. 333 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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