

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.114 of 2024

Arising Out of PS. Case No.-62 Year-2023 Thana- TARABARI District- Araria

Ahmad Hussain S/O LATE SABIR VILLAGE- BATURBARI, WARD NO. 18, PS. TARABARI, DIST. ARARIA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gopal Jha

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

- 2 24-01-2024 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 Tarabari Police Station Case No. 62 of 2023, dated 01.06.2023, disclosing offences punishable under Sections 143/147/341/342/323/324/307/447/452/506 of the Indian Penal Code.
3. The prosecution case, as per the First Information Report, is that the petitioner has allegedly assaulted by means of iron rod to one Ali Hassan on his head.
4. Learned Counsel for the petitioner submits that there is land dispute between the parties, which would be evident



from the First Information Report itself. He next submits that from perusal of the impugned order, it does not appear that the injury caused to the victim Ali Hassan is grievous in nature. He next submits that there is counter case also inasmuch as Tarabari Police Station Case No. 63 of 2023 has been lodged by the mother of the petitioner.

5. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the land dispute between the parties and case and counter case and the fact that the prosecution has not brought on record that the victim Ali Hassan has sustained grievous injury, 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 a period of 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 Judicial Magistrate, 1st Class, Araria, in connection with Tarabari Police Station Case No. 62 of 2023, subject to the condition laid down under Section 438 (2) of the Code



of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

U	√	T	√
---	---	---	---

