

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.7416 of 2025**

Arising Out of PS. Case No.-243 Year-2024 Thana- BIRAUL District- Darbhanga

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1. Salib Hussain Khan S/o Manzar Hussain Khan R/o Village- Ahilwara, Post- Ahilwara, P.S.- Biraul, District- Darbhanga
  2. Galib Hussain Khan @ Galif Khan S/o Talis Alam Khan R/o Village- Ahilwara, Post- Ahilwara, P.S.- Biraul, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Amit Kumar Singh  
For the Opposite Party/s : Mr. Anil Kumar

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**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

- 2      22-03-2025      1. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Biraul Police Station Case No. 243 of 2024, dated 14.06.2024, disclosing offences under Sections 341/342/323/307/379/504/506/34 of the Indian Penal Code.
3. The prosecution case, as per the First Information Report, is that on 13.06.2024, at about 08:AM, in the morning, when the informant went to his mango orchard he saw that the petitioners and other accused persons were carrying cow carcass and were throwing the bones and



flesh in the mango orchard of the informant. Upon objection, the petitioner no. 1 assaulted the informant by means of sword on the head and petitioner no. 2 assaulted the informant by means of dabia on the head.

4. Learned counsel for the petitioners submits that the petitioners have falsely been implicated in the present case due to land dispute between the parties. He next submits that a title suit, bearing Title Suit No. 167 of 2022, is pending between the informant and the side of the petitioners, having place of occurrence the subject land of the suit i.e. mango orchard. Referring to the injury report, learned counsel submits that all the injuries sustained by the informant are simple in nature, except injury no. 6 reported in the radiology center report, which has been opined as grievous in nature, but only hairline fracture in nasal bone.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that there is land dispute between the petitioners and the informant and injuries sustained by the informant are 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 Additional Chief Judicial Magistrate I, Benipur, Darbhanga, in connection with Biraul Police Station Case No. 243 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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