

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.13640 of 2025**

Arising Out of PS. Case No.-29 Year-2024 Thana- BAIRGACHHAI District- Araria

Jamal @ Md Jamal S/O Late Aiyub R/O Vill.- Koshkipur, P.S- Bairgachhi,  
Dist.-Araria

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Md. Ziaul Quamar  
For the Opposite Party/s : Mr.Pushpa Sinha.1

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

2      25-02-2025      1. Heard the parties.

2. The petitioner apprehends his arrest in connection with Araria (Bairgachhi) P.S. Case No. 29 of 2024 dated 20.05.2024 registered under Sections 341, 323, 324, 307, 504, 506 / 34 of the I.P.C.

3. As per the F.I.R. on 19.05.2024 at about 9:00 P.M. in the night when the informant's elder brother- Tabarak, aged about 40 years, went at the construction site of his under construction house, the accused persons were already present there and the co-accused and informant's another brother- Kamrul attacked at Tabarak with knife causing injury on his chest. It has further been alleged that the occurrence has taken place with the connivance of the petitioner and the co-accused -Afreeen.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case due to land dispute



among the brothers. The victim, informant and the co-accused, who attacked the another brother – Tabarak are own brothers. There is land dispute between the parties. The petitioner is not the assailant. There is specific allegation of stabbing upon the co-accused / Kamrul. Similarly situated co-accused person and wife of the petitioner has been granted anticipatory bail by this court in Cr. Misc. No. 67684 of 2024.

5. Regard being had to the submission made by the parties, taking into consideration the fact that both the parties are closely related, the petitioner is not the assailant and the co-accused has been granted anticipatory bail, I am inclined to grant anticipatory bail to the petitioner.

6. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Araria (Bairgachhi) P.S. Case No. 29 of 2024 subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

praful/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

**(Anil Kumar Sinha, J)**

