

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68566 of 2024

Arising Out of PS. Case No.-86 Year-2023 Thana- MATIYARIA District- West Champaran

Rehan Ansari S/o- Late Ali Ahmed Ansari @ Late Ahmad Ansari Resident of
Village- Daraul PS- Matiyariya, Dist- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate

For the Opposite Party/s : Mr. Pranav Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 22-01-2025 Heard Mr. Sanjeev Kumar, learned counsel for the
petitioner and Mr. Pranav Kumar, learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Matiyariya P.S. Case No. 86 of 2023, F.I.R. dated 01.11.2023 registered for the offences punishable under Sections 147, 341, 323, 324, 307, 354, 379, 327, 504, 506 of the Indian Penal Code.

3. Allegation against the petitioner is that he assaulted to the informant by means of iron due to which she sustained injury.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the present case. He further submits that from perusal of the F.I.R. it appears that due to admitted land dispute the present



occurrence had taken place, there is case and counter case between the parties and a Title Suit No. 35 of 2024 is going on over the disputed land in question. He further submits that it appears from the F.I.R. that although there is specific allegation against the petitioner that he assaulted the informant by means of iron and she has received injury but the injury report of the informant suggests that :-

*“ (1) incised wound on right side
parietal region on head, size 2 ½” x ¼”*

*(2) laceration wound on left hand
forarm, Size 1” x ¼”.*

Cause of Injuries (1) Due to sharp cutting

(2) Hard Blunt Substances

Nature of Injury : Simple in nature.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner and submits that there is direct and specific allegation against the petitioner and apart from that the petitioner carries one more case other than the present one.

6. Considering the aforesaid facts that due to admitted land dispute the present occurrence had taken place and the injury report of the informant is simple in nature, let the petitioner, above named, in the event of his arrest or surrender



before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Bettiah West Champaran/Successor Court in connection with Matiyariya P.S. Case No. 86 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ Section 482(2) of BNSS, 2023 and with other following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for



cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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