

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84368 of 2024

Arising Out of PS. Case No.-68 Year-2024 Thana- MANSAHI District- Katihar

Md. Rojil @ Md. Rahil S/o Md. Islam Resident of Village - Chhoti Bathna,
PS- Mansahi, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Bimal Kumar, Adv
For the Opposite Party/s	:	Mr.Nirmala Kumari, A.P.P
For the Informant	:	Mr. Arun Kumar Mandal, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 27-02-2025 Heard learned counsel for the petitioner, learned counsel for the informant and learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Mansahi P.S. Case No. 68 of 2024 dated 25.06.2024 registered for the offences punishable u/s 341, 323, 324, 347, 307, 504 read with section 34 of the Indian Penal Code.

3. As per the prosecution case, on 21.06.2024 at about 09:00 P.M. all the accused persons were forcefully constructing a Pucca building and cutting soil and tree on the aforesaid disputed land. On being objected by the informant, the co-accused, Md. Islam ordered to kill the informant and the co-



accused, Md. Arif caught the informant's hand and twisted the same. The petitioner Rojil assaulted the informant with iron rod on his head causing head injury due to which he fell down and soaked with blood.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is a delay of four days in lodging the F.I.R. The other co-accused persons have already been granted bail by this court *vide* order dated 24.09.2024 passed in Cr. Misc. No. 63162/2024. Both the parties have assaulted each others and the injury which is sustained by the informant is simple in nature. The petitioner has one criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State as well as learned counsel for the informant have vehemently opposed the prayer for anticipatory bail of the petitioner by submitting that the specific allegation of assault is against the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like



amount each to the satisfaction of the learned court concerned, Katihar in connection with Mansahi P.S. Case No. 68 of 2024, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure, with further condition:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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