

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.86972 of 2024**

Arising Out of PS. Case No.-233 Year-2024 Thana- MADHUBANI TOWN District-  
Madhubani

Md. Murtaza @ Md. Murtuza S/O Late Hanif R/O- Village- Ragho Nagar  
Bhauara, Ward No.- 22, P.S.- Town, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                      |   |                                       |
|----------------------|---|---------------------------------------|
| For the Petitioner/s | : | Mr. Gagandeo Yadav<br>Mr.Ravi Prakash |
| For the State        | : | Mr.Shailendra Kumar                   |
| For the informant    | : | Ms. Kumari Pallavi                    |

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

- 218-01-2025
1.

Heard learned Counsel for the petitioner, learned Counsel for the informant and learned Additional Public Prosecutor for the State.
2.

This application, for grant of anticipatory bail, arises out of Madhubani Town Police Station Case No. 233 of 2024, dated 06.06.2024, disclosing offences punishable under Sections 341/323/384/379/504/506/34 of the Indian Penal Code.
3.

The prosecution case, as per the First Information Report, is that on 18.05.2024, the petitioner and others were filling soil in the land of the informant and upon objection, they demanded rangdari of Rs. 3,00,000/-. On 27.05.2024, in the morning, the petitioner, along with



other co-accused persons, arrived at the shop of the informant, started abusing him and demanded extortion money and upon protest, the petitioner assaulted the informant on his head with iron-rod, and other co-accused persons also assaulted the informant and his family members.

4. Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in this case due to land dispute, for which Title Suit No. 63 of 2019/54 of 2019 is pending before learned Sub Judge-I, Madhubani. Regarding criminal antecedents, learned Counsel submits that majority of the cases have been lodged by the informant and/or his wife and relatives. The informant is also having seven criminal antecedents against him, including one case of preparation for committing dacoity.
5. On the other hand, learned Counsel for the informant opposes the prayer for anticipatory bail and submits that the petitioner is having criminal antecedents and the injury report of the informant shows that he has sustained cut injury on his forehead in parietal region, caused by sharp cutting weapon.
6. In reply, learned Counsel for the petitioner submits that



the allegation against the petitioner is that he assaulted the informant by means of iron-rod, which is hard and blunt substance and the injury caused to the informant has been found to be made by sharp cutting weapon.

- 7. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that both the parties are at logger heads due to land dispute and title suit is pending between them, I am inclined to grant the petitioner privilege of anticipatory bail.
- 8. This application is, accordingly, allowed.
- 9. 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 Chief Judicial Magistrate, Madhubani, in connection with Madhubani Town Police Station Case No. 233 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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