

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89117 of 2024

Arising Out of PS. Case No.-218 Year-2024 Thana- HALSI District- Lakhisarai

Aaju Bind S/o Narayan Bind R/o Village- Bachiabigha, P.S.- Halsi, District- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Narsingh Tanti, Adv.

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 17-01-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

02. In the present case, the petitioner is apprehending his arrest in connection with Halsi P.S. Case No. 218 of 2024, registered for the alleged offences under Sections 127(1), 118, 109, 303(2), 3 (5) of BNS, 2023.

03. As per prosecution case, when the informant went for watering of his land, he saw someone detaching his motor and when the informant raised alarm, he was stabbed with knife and when the informant tried to save himself by running away from the place of occurrence, he was caught hold by the petitioner and co-accused, who again stabbed him and snatched his gold chain.

04. Learned counsel for the petitioner submits that the

petitioner is innocent and has been falsely implicated in this case. The allegations are completely false and concocted. The FIR has been registered after delay of two days for which there is no explanation. It is not believable that the informant was stabbed and was seriously injured and still he managed to record his written report with the police narrating the whole occurrence. During investigation, it has come to the notice that land of the father of the co-accused person is adjacent to the land of the informant and there has been dispute over shifting of ridges. Due to this land dispute, the informant has falsely implicated the petitioner and co-accused persons. Even injury report of the informant is suspect and appears to be a procured one. The injury report shows superficial nature of injuries, though it is stated to be grievous. Only one of the injuries is penetrating wound, though there is allegation of stabbing on more than one occasion.

05. Learned A.P.P. for the State opposes the submission made on behalf of the learned counsel for the petitioner. The learned APP submits that the petitioner is having criminal antecedents.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the

background of land dispute and further considering not so serious nature of injuries, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of Court of learned J.M. 1st Class, Lakhisarai in connection with Halsi P.S. Case No. 218 of 2024 of 2024, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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