

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90226 of 2024

Arising Out of PS. Case No.-218 Year-2023 Thana- AMAUR District- Purnia

MD. SHAHID KASAI S/O SAMIR R/O DHARIYA, PS- AMAUR, DIST.-
PURNIA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Anil Kumar Singh No. 1, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 29-01-2025 1. Heard learned Counsel for the petitioner and learned APP for the State.
2. This application, for grant of anticipatory bail, arises out of Amaur PS case no. 218 of 2023, disclosing offences punishable under Section 354 and other allied sections of the Indian Penal Code.
3. The prosecution story, as per the First Information Report, is that on 10.06.2023 in the morning, when the informant had gone to his bamboo clump, petitioners along with other accused persons prevented the informant from cutting the bamboo. Subsequently, petitioner and other accused persons, total 16 in number, having arms in their hand, came at the house of the informant and petitioner assaulted on the head of his son, due to which, he sustained injury on his head.



4. Learned Counsel for the petitioner submits that both parties are co-villagers and there was dispute regarding bamboo clump between them. Altogether 16 persons are named in the F.I.R. The allegation against the petitioner is that he assaulted the son of the informant. Learned counsel further submits that from perusal of paragraph no. 6 of the impugned order, it would be evident that informant's son has sustained simple injury. The petitioner is stated to be having no criminal antecedent.

5. Regard being had to the submissions made on behalf of the parties and taking into consideration the fact that there was dispute regarding bamboo clump between the parties, the injury caused to the informant's son by the petitioner is simple in nature, I am inclined to grant the privilege of anticipatory bail to the petitioner.

6. This application is, accordingly, allowed.

7. Let petitioner, abovenamed, in the event of his arrest or surrender before the Court below within six weeks, 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, Purnea in connection with Amaur PS case no. 218 of 2023, subject to the



condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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