

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.44152 of 2017**

Arising Out of PS.Case No. -115 Year- 2017 Thana -NARPATGANJ District- ARRARIA

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1. Arif son of Kalim
2. Farooque son of Bhola Mian
3. Hefaz son of late Naseer
4. Bano wife of Taha
5. Md. Abbas son of Late Akloo
6. Aslam @ Md. Aslam son of Noim @ Moim
7. Israfil son of Chhutahru
8. Suber son of Late Masiuddin
9. Afzal son of Noim
10. Munni Khatoon wife of Firoz All are residents of village - Rahimpur, Khabdah, P.S. - Narpatganj, Dist - Araria.

.... .... Petitioner/s

Versus

1. The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ramesh Kumar Singh, Adv.

For the Opposite Party/s : Mr. Sri Ajit Kumar, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA**  
**ORAL ORDER**

3      12-10-2017                      Heard learned Counsel for the petitioners and  
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Narpatganj Police Station Case No. 115 of 2017, disclosing offences under Sections 341, 323, 324, 325, 307, 354B, 379, 504, 506 and 436/34 of the Indian Penal Code.

Learned counsel for the petitioners has submitted that there is general and omnibus allegation against these petitioners and no specific overt act is attributed to them. In fact,



this case is a counter blast of Narpatganj P.S. Case No. 114 of 2017 lodged against the informant and associates and on account of that these petitioners have been made accused in this case. As a matter of fact, there is land dispute prevailing between the patties and on account of that altercation took place between them and both the parties have sustained injury. Hence, the petitioners, who are of clean antecedent, deserve the privilege of anticipatory bail.

Learned counsel for the informant has submitted that there is direct allegation of assault by danda against the petitioner No.6 resultantly leg of Asmina, who happens to be Bhabhi of the informant, got fractured.

Considering the facts and circumstances of the case, let the petitioner Nos. 1, 2, 3, 4, 5, 7, 8, 9 and 10, above named, in the event of their arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria, in connection with Narpatganj Police Station Case No. 115 of 2017, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

So far petitioner no.6 is concerned, considering the



direct allegation of assault against him, this Court is not inclined to grant the privilege of anticipatory bail to this petitioner. Accordingly, the prayer for anticipatory bail of this petitioner is rejected.

**(Arvind Srivastava, J)**

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