

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15317 of 2019

Arising Out of PS. Case No.-151 Year-2017 Thana- JOGBANI District- Araria

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1. Md. Majebul @ Majibul, Son of Md. Kashim
 2. Md. Istkhar, Son of Md. Aiyub
 3. Md. Munna, Son of Sarfuddin
 4. Md. Rub @ Md. Aiyub @ Bhutto, Son of Late Mohan
 5. Hasib @ Tiska, Son of Md. Kashim
 6. Md. Hasebul, Son of Md. Kashim
 7. Md. Kashim, Son of Late Mohan
 8. Begum Khatoon, Wife of Md. Aiyub @ Bhutto
 9. Manki, Daughter of Late Fajal
- All are Residents of Village-Dipol, Police Station-Jogbani, District-Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana
For the Opposite Party/s : Mr.Satya Nand Shukla

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 12-03-2019 Heard learned counsel for the petitioners and learned
APP representing the State.

Petitioners are seeking anticipatory bail in connection with Jogbani. P.S. Case No. 151 of 2017 registered for the offences punishable under Sections 341, 323, 379, 308, 354B and 504/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that there is a case and counter case in the present case as both the parties are neighbours and seem to have gone for free fight. It is



submitted that the first FIR in respect of the alleged occurrence has been registered by petitioner no.8 giving rise to Jogbani P.S. Case No.148 of 2017 on 14.09.2017. Subsequently, the present FIR being Jogbani P.S. Case No.151 of 2017 has been registered by one Shahnaz Khatoon. It is further pointed out that no doubt a simple injury has been caused in this case on the head of the informant, but considering that the first FIR has been lodged by petitioner no.8 in which she has stated the manner in which she was assaulted by sword and has herself received injury in the facts of the case considering the relationship between the parties and that there was a land dispute which has given rise to present FIR the petitioners may be enlarged on anticipatory bail.

Learned APP for the State is present and has opposed the prayer for anticipatory bail.

Considering the facts and circumstances of the case, the fact that first case was registered by petitioner no.8 and she has herself received sword injury and that so far as others are concerned there are only general and omnibus allegations against them, let in case of arrest or surrender of the petitioners within a period of four weeks from today, the abovenamed petitioners be enlarged on bail on furnishing bail bond of Rs.15,000/- (rupees fifteen thousand) each with two sureties of



the like amount each to the satisfaction of the learned A.C.J.M.-
1st, Araria in connection with Jogbani P.S. Case No. 151 of
2017, subject to the condition prescribed under Section 438(2)
of the Cr.P.C.

(Rajeev Ranjan Prasad, J)

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