

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25729 of 2020

Arising Out of PS. Case No.-73 Year-2020 Thana- BAIKUNTHPUR District- Gopalganj

1. Jamaluddin Mian son of Naim Mian Resident of Village- Usari Bazar, P.S.- Baikunthpur, District- Gopalganj.
2. Samadin Ali son of Naim Mian Resident of Village- Usari Bazar, P.S.- Baikunthpur, District- Gopalganj.
3. Ali Imam son of Naim Mian Resident of Village- Usari Bazar, P.S.- Baikunthpur, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhramveer, Adv.

For the Opposite Party/s : Mr. Nagendra Prasad, Adv.

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 30-09-2020 Heard learned counsel for the petitioners and learned APP for the State through video conferencing.

The instant application for regular bail has been filed by the petitioners in connection with Baikunthpur P.S. Case No.73 of 2020 registered under section 307 and other sections of the Indian Penal Code.

As per allegation in the FIR, the thirteen named accused persons including the three petitioners herein are stated to have assaulted the informant and other members of her family over land dispute, causing serious injuries.

It is submitted by learned counsel for the



petitioners that from perusal of the F.I.R. itself it would transpire that at the outset the informant admits that there is a land dispute between the parties. This is the reason for false implication of the petitioners. It is further submitted that there was case and counter case between the parties, the true version having been recorded in the F.I.R. which is Annexure-2 to the petition lodged by one Jumrati Mian, one of the named accused along with the petitioners in the instant case. It is submitted that the allegations are absolutely general and omnibus in nature. The petitioners have no criminal antecedent and they are in custody since 17.5.2020. The investigation with respect to the petitioners has already concluded.

The application for bail is opposed by learned APP for the State who submits that as a result of assault by the petitioners the informant side has received grievous injuries.

Having heard learned counsel for the parties and taking into consideration the submissions made on behalf of the petitioners, there being case and counter case between the parties and the petitioners having no criminal antecedent, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to be enlarged on bail in connection with Baikunthpur P.S. Case No.73 of 2020 on their furnishing



bail bond of Rs. 10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Gopalganj.

(Partha Sarthy, J)

Bibhash/-

U		T	
---	--	---	--

