

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85800 of 2019

Arising Out of PS. Case No.-191 Year-2019 Thana- UDAKISHUNGANJ District-
Madhepura

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1. Md. Ahsan @ Ahsan S/o Late Md. Aulad Resident of Village- Rahata Ward No.12, P.S.- Uda Kishunganj, Distt- Madhepura.
 2. Md. Fulo Son of Md. Ahmad Resident of Village- Rahata Ward No.12, P.S.- Uda Kishunganj, Distt- Madhepura.
 3. Md. Ahmad Son of Late Ashruddin Resident of Village- Rahata Ward No.12, P.S.- Uda Kishunganj, Distt- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pawan Kumar, Advocate
For the Opposite Party/s : Mr. Ram Sumiran Rai, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 20-02-2020 Heard learned counsel for the petitioners and the
learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Uda-Kishunganj P.S. Case No. 191 of 2019 registered for the offences punishable under Sections 147, 341, 323, 324, 325, 307, 354, 504, 379 of the Indian Penal Code.

The allegation against the petitioners is that petitioners alongwith other co-accused person assaulted the father-in-law of the informant as well as husband of the informant by means of Dabiya, Lathi and Iron rod etc.

Learned counsel appearing on behalf of petitioners



submits that petitioners have falsely been implicated in this case due to land dispute between the parties inasmuch as title suit bearing Title Suit No. 387 of 2017 is pending between the parties before the court of Sub-Judge-I, Madhepura. He further submits that both the parties are close relative and the injury caused to the informant, her husband and her father-in-law are not available in the case diary but would be evident from the impugned order passed by learned Sessions Judge wherein the injury caused to the husband of the informant has been discussed, the husband of the informant has not been assaulted by the petitioners, but by co-accused Md. Aulad, who has been granted regular bail by this Court.

Having heard learned counsel for the parties and taking into consideration the fact that both the parties are close relative, title suit between the parties is pending before the court of Sub-Judge-I, Madhepura and injury report has not been brought on record by the prosecution, I am inclined to grant anticipatory bail to these petitioners.

Accordingly, let the petitioners, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be released on anticipatory bail



on furnishing bail bond of Rs.10,000/- (Rupees Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Uda-Kishunganj, Madhepura in connection with Uda-Kishunganj P.S. Case No. 191 of 2019, subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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