

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22152 of 2021

Arising Out of PS. Case No.-173 Year-2020 Thana- RUPAULI District- Purnia

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1. ALTAF HUSSAIN @ MD. ALTAB
 2. MD. TABREJ ALAM @ MD. TABREJ
Both are sons of Late Md. Zainul Abedin Resident of Village - Basgarha,
Yadav Tola, P.S.- Rupauli, Distt.- Purnia.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mohammad Sufyan, Adv.
For the Opposite Party/s : Mr. Surendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 15-11-2021 Heard learned counsel for the parties.

The petitioners have preferred this application for grant of regular bail in a case registered under section 302 and other sections of the Indian Penal Code.

As per the prosecution case, the accused persons are stated to have come variously armed. Md. Mozzammil is stated to have struck the father of the informant on his head with an iron rod as a result of which he fell down unconscious. Thereafter all the accused persons are stated to have assaulted the informant, Upendra Mandal, Ramdev Mandal and the informant's mother Manti Devi.

It is submitted by learned counsel for the



petitioners that the allegations as levelled in the F.I.R. are false and concocted. The petitioners have been falsely implicated in the case because of land dispute. The allegation of assault on the father of the informant is specific on Md. Mozzammil. The allegation of assault on others are general and omnibus in nature. So far as the injuries on Ashok Mandal, Upendra Mandal and Manti Devi are concerned, injury report of which are available in the case diary, the injuries are simple in nature. The petitioners are in custody since 17.11.2020 and have no criminal antecedent.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the submissions made on behalf of the petitioners together with the petitioners being in custody since 17.11.2020, the Court directs the two petitioners to be enlarged on bail in connection with Rupauli P.S. Case no.173 of 2020 on each of them furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Purnia.

(Partha Sarthy, J)

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