

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86199 of 2019

Arising Out of PS. Case No.-233 Year-2016 Thana- ROSERA District- Samastipur

1. MD. SAOOD S/O MD. Soyab Resident of Village - Udaipur, PO - Rosera, PS - Rosera, District - Samastipur, Bihar. Pin -848210.
2. MD Masood @ MD Masood Alam S/O MD Soyab Resident of Village - Udaipur, PO - Rosera, PS - Rosera, District - Samastipur, Bihar. Pin -848210.
3. MD Maqshood @ MD Maqshood Alam S/O MD Soyab Resident of Village - Udaipur, PO - Rosera, PS - Rosera, District - Samastipur, Bihar. Pin -848210.
4. MD Soyab @ Munna @ Mannu S/O Late MD. Hanif Resident of Village - Udaipur, PO - Rosera, PS - Rosera, District - Samastipur, Bihar. Pin -848210.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abbhishek Krishna Gupta
For the Opposite Party/s : Mr.Umeshanand Pandit

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 16-11-2021 Heard learned counsel for the petitioners and
learned APP for the State.

At the outset, learned counsel for the petitioners seeks permission to withdraw this application with regard to petitioner Nos. 1 & 3 namely, Md. Saood and Md. Maqshood @ MD Maqshood Alam as during pendency of this application, they have been taken into judicial custody.

Permission is granted.

Accordingly, this application with regard to petitioner



Nos. 1 & 3 namely, Md. Saood and Md. Maqshood @ MD Maqshood Alam is dismissed as withdrawn.

The petitioner Nos. 2 & 4 are apprehending their arrest in a case registered under Sections 341, 307, 323, 379, 504/34 of the Indian Penal Code.

Allegedly, on the date of occurrence, in the night, the accused persons came at the house of informant and they assaulted the informant's husband causing bleeding injury. Ornaments and cash are also said to have been snatched away by the accused persons.

It has been submitted on behalf of the petitioner Nos. 2 & 4 that the petitioner No. 2 has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner Nos. 2 & 4. They have been falsely implicated in the present case. General and omnibus allegation has been made against them. No specific overt act is alleged against them. The specific allegation of assault is against petitioner No. 1, Md. Saood. There is admitted land dispute between the parties.

On behalf of the State, it is submitted that the petitioner Nos. 2 & 4 are named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioner Nos. 2 & 4, above named, in the event of



arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory 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 Additional Chief Judicial Magistrate-Ist, Rosera, Samastipur in connection with Rosera P.S. Case No. 233 of 2016 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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