

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3277 of 2022

Arising Out of PS. Case No.-86 Year-2021 Thana- LAKHNAUR District- Madhubani

1. Md. Kuddus @ Md. Abdul Kuddus @ Abdul Quddus Son of Nathuni Nadaf @ Md. Amirul Nadaf @ Babayi Resident of Village- Khairi Tol, P.S.- Lakhnaur, District- Madhubani.
2. Lal Mohammad Son of Nathui Nadaf @ Md. Amirul Nadaf @ Babayi Resident of Village- Khairi Tol, P.S.- Lakhnaur, District- Madhubani.
3. Md. Saddam Son of Late Md. Iliyas Nadaf Resident of Village- Khairi Tol, P.S.- Lakhnaur, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : None

For the Opposite Party/s : Mr.Uma Shankar Pd. Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 10-08-2022 Heard both parties.

The petitioners apprehend their arrest in Lakhnaur P.S. Case No. 86 of 2021, registered for the offences punishable under Section 307 and other allied sections of the Indian Penal Code.

Prosecution case in brief is that on the alleged date and time of occurrence while the informant was returning from his field, on the way, all the accused persons including petitioners surrounded the informant and pressurized him to compromise the previous case bearing Lakhnaur PS Case No. 72 of 2021. On being refused by the informant, on the order of petitioner no. 1, petitioner no. 2 assaulted by means of Farsa on



the head of informant and other accused persons assaulted him by means of iron rod causing cut injury on his head.

It is submitted that due to land dispute between the parties petitioners have been falsely implicated in this case. No such occurrence as alleged in the FIR has ever taken place. Moreover, petitioner no. 1 who is panchayat teacher is alleged to be only order giver. There is no specific allegation against petitioner no. 3. Specific allegation of assault by *Farsa* is against petitioner no. 2.

Counsel for the informant however vehemently opposed the prayer for bail and submitted that petitioners participated in the occurrence as a result of which informant sustained injuries. Petitioner nos. 1 and 2 have got criminal antecedents.

Considering the nature of accusation and criminal antecedents, I am not inclined to enlarge the petitioners above-named on anticipatory bail.

Accordingly, the prayer for anticipatory bail is rejected.

(Prabhat Kumar Singh, J)

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