

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7101 of 2022

Arising Out of PS. Case No.-135 Year-2021 Thana- SARSI District- Purnia

1. Md. Sohail S/O Md. Salim Resident Of Vill- Budhiya Slim Tola, P.S.- Sarsi, Distt- Purnea.
2. Md. Owais Son Of Md. Salim Resident Of Vill- Budhiya Slim Tola, P.S.- Sarsi, District- Purnea.
3. Nayab Ahmad Son Of Md. Sohail @ Sohail Resident Of Vill- Budhiya Slim Tola, P.S.- Sarsi, District- Purnea.
4. Md. Nazim S/O Md. Sohail @ Sohail Resident Of Vill- Budhiya Slim Tola, P.S.- Sarsi, District- Purnea.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar

For the Opposite Party/s : Mr. Umanath Mishra

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 30-08-2022 Heard learned counsel for the petitioners and the learned APP for the State.

The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 341, 323, 324, 307 and 504/ 34 of the Indian Penal Code.

The learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the informant alleges that on account of dispute relating to land, the accused persons were ploughing the field of the informant by tractor which was objected on which, it is alleged that Md.



Sohail and Md. Owais gave farsa and axe blow on the head of the informant causing injury. Further, Md. Nayab and Md. Nazim assaulted Umar Faruque by sword and spade blow causing injury on head and thereafter, also assaulted Md. Mustaque by *Dabiya* causing injury on head.

The learned counsel for the petitioners submits that the petitioners and the informant are related. It is next submitted that admittedly, on account of dispute relating to land, the present occurrence took place. It is further submitted that from the side of the petitioner, Sarsi P. S. Case No.134 of 2021 was instituted against the informant and others in which, from the side of the petitioners also received injury. It is next submitted that from perusal of the Annexure-2 serious, it would manifest that the injured have suffered simple injury. It is thus submitted that the occurrence was on account of land dispute and the blows were not repeated though some of the injuries are on vital part of the body, then the same are simple in nature. It is also submitted that petitioners are not the criminals.

The learned Additional Public Prosecutor opposes the anticipatory bail application.

Considering the submissions made by the learned counsel for the petitioners, the petitioners, above-named, in the



event of their arrest or surrender before the learned Court below within a period of six weeks from today, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Sarsi P. S. Case No.135 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

vikash/-

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

