

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13342 of 2022

Arising Out of PS. Case No.-250 Year-2021 Thana- AMDABAD District- Katihar

1. ATATUR RAHMAN Son of Mansooruddin Resident of Village - Jamra Ratanpur, P.O.- Bariya, P.s.- Amdabad, Distt.- Katihar.
2. Safaur Rahman Son of Mansooruddin Resident of Village - Jamra Ratanpur, P.O.- Bariya, P.s.- Amdabad, Distt.- Katihar.
3. Anarul Haque Son of Safaur Rahman Resident of Village - Jamra Ratanpur, P.O.- Bariya, P.s.- Amdabad, Distt.- Katihar.
4. Ziyarul Son of Nuhur Ali Resident of Village - Jamra Ratanpur, P.O.- Bariya, P.s.- Amdabad, Distt.- Katihar.
5. Mozammil Haque Son of Late Hanif Resident of Village - Jamra Ratanpur, P.O.- Bariya, P.s.- Amdabad, Distt.- Katihar.
6. Noor Alam @ Bhola Son of Mozammil Haque Resident of Village - Jamra Ratanpur, P.O.- Bariya, P.s.- Amdabad, Distt.- Katihar.
7. Nazir Ali Son of Abdul Hakim @ Halim Resident of Village - Jamra Ratanpur, P.O.- Bariya, P.s.- Amdabad, Distt.- Katihar.
8. Zulekha Khatoon W/o Ataur Rahman Resident of Village - Jamra Ratanpur, P.O.- Bariya, P.s.- Amdabad, Distt.- Katihar.
9. Naima Khatoon W/o Safaur Rahman Resident of Village - Jamra Ratanpur, P.O.- Bariya, P.s.- Amdabad, Distt.- Katihar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sushil Kumar Jha, Advocate
For the Opposite Party/s : Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-09-2022 Heard learned counsel for the petitioners and learned A.P.P. for the State through virtual court proceedings.

Learned counsel for the petitioners seeks permission to withdraw the present anticipatory bail



application with respect to petitioner no. 2.

Permission is accorded.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 324, 307, 379, 504, 506 and 34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioner nos. 1 and 3 to 9 are persons with clean antecedent and petitioner nos. 8 and 9 are women and the informant alleges that his paternal land is in Jamda Mauja, where he has his house, it is next alleged that on 22.11.2021 at 8:00 AM, all the accused persons, including the petitioners, came variously armed and started damaging the boundary of his house to which the informant protested then all the accused persons assaulted him, thereafter it is alleged that petitioner no. 1 assaulted him with 'shabbal' on his left leg, petitioner no. 2 assaulted with 'hasua' on hand injuring him, thereafter all the accused persons gave order to kill the informant and when his family members intervened they were also assaulted by the accused persons, as detailed in the FIR.



Learned counsel for the petitioners submits that from bare perusal of the allegation as alleged in the FIR, it would manifest that on account of dispute relating to land and house the present occurrence took place, it is next submitted that specific allegation of assault is against petitioner no. 1 of assaulting the informant on his left leg and as far as allegation of assault against rest of the accused persons is alleged, the same is general and omnibus in nature, it is next submitted that even the injuries, suffered by the injured, are simple in nature, as has been specifically pleaded at Para-10 of the anticipatory bail application, it is also submitted that from the side of the petitioners Amdabad P.S. Case No. 249 of 2021 was instituted and the present FIR came to be instituted as a counter-blast.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions made by the learned counsel for the petitioners, the petitioner nos 1 and 3 to 9, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-



(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Amdabad P.S. Case No. 250 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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