

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17940 of 2022

Arising Out of PS. Case No.-255 Year-2021 Thana- AMDABAD District- Katihar

1. MD. JUBAIR S/O ATAUR RAHMAN R/o - Bholamari, P.S.- Amdabad, Distt.- Katihar
2. Md. Samir @ Md. Sagir Alam S/o Ataur Rahman R/o - Bholamari, P.S.- Amdabad, Distt.- Katihar
3. Md. Iftekhar @ Iftekhar Alam S/o Ibrahim R/o - Bholamari, P.S.- Amdabad, Distt.- Katihar
4. Md. Jahangir @ Jahangir Alam S/o Abdul Gaffar R/o - Bholamari, P.S.- Amdabad, Distt.- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agarwal, Sr. Advocate
		Mr.Sanjeev Kumar Singh, Advocate
For the Opposite Party/s :		Mr.Syed Ehteshamuddin,

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-09-2022 Heard learned senior counsel for the petitioners and
learned A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 447, 341, 323, 324, 307, 354, 379, 504, 506 and 34 of the Indian Penal Code.

Learned senior counsel for the petitioners submits that the petitioners are persons with clean antecedent and the allegation is that on 01.12.2021 at about 10:00 a.m. petitioner no.3, Md. Mukhtar, Md. Ibrahim, Md. Ataur and Md. Gaffar on



account of previous dispute relating to land, abused the informant and his family members and when the informant protested, the accused persons came variously armed at his door and thereafter assaulted him.

Learned senior counsel for the petitioners submits that petitioner have been falsely implicated in the present case and from perusal of the allegations as alleged in the F.I.R. it would manifest that the informant has specifically named the accused persons who assaulted causing injury, it is further submitted that admittedly the dispute arose on account of land and all the injuries suffered by the injured are simple in nature as would be evident from Annexure-2 series to the anticipatory bail application. Learned senior counsel further submits that that from the side of the petitioners also Amdabad P.S. Case No. 256 of 2021 has been instituted, it is further submitted that the petitioners are not criminals and on account of land dispute, the occurrence took place in which injuries are simple as such it cannot be alleged that a serious offence was committed.

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

Considering the submissions made by the learned senior 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, 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 court below where the case is pending/successor court in connection with Amdabad P.S. Case No. 255 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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