

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32388 of 2021

Arising Out of PS. Case No.-275 Year-2020 Thana- KATIHAR MUFFASIL District- Katihar

1. MD. ABDUL RAHIM S/o Late Farjan Ali R/o village- Mongara, P.S.- Muffasil, District- Katihar
2. Md. Murtaza S/o Md. Abdul Rahim R/o village- Mongara, P.S.- Muffasil, District- Katihar

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhola Prasad

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 22-02-2022 Heard learned counsel for the petitioners and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Muffasil P.S. Case no. 275 of 2020 instituted for the offence punishable under Sections 448, 341, 323, 504, 307, 379 and 34 of the Indian Penal Code.

As per allegation in the FIR, when the petitioner was at his home, all the FIR named accused persons having deadly weapons entered into his house and started to abuse and on protest they assaulted the informant. When his brother came there for rescue, he was also beaten up by them by iron rod causing head injury. Co-accused Tarik snatched an amount of Rs. 6,000/- and smart phone from the pocket of the informant.

Learned counsel appearing on behalf of the petitioners



has submitted that petitioners are innocent and have been falsely implicated in this case. Old land dispute is going on between the parties. There is case and counter case between the parties. Both parties have received injuries in alleged occurrence. They have got no criminal antecedent. The matter relates to civil dispute.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Muffasil P.S. Case no. 275 of 2020, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Katihar subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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