

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28872 of 2022

Arising Out of PS. Case No.-985 Year-2021 Thana- TURKAULIYA District- East
Champaran

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1. MABUDUL AJAM @ LALBABU Son of Sher Mahamad Resident of Village - Kawalpur, P.S. - Turkauliya, District - East Champaran.
 2. Md. Hasuain Son of Late Abdul Rauf Resident of Village - Kawalpur, P.S. - Turkauliya, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Binod Kumar Mishra, Adv.
For the Opposite Party/s	:	Mr.Dilip Kumar No.1, APP
For the Informant	:	Mr.Nafisuzzoha, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 08-09-2022 Heard learned counsel for the petitioners, learned counsel for the informant and learned Additional Public Prosecutor for the State.

Learned counsel for the petitioners undertakes to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 341, 323, 354, 387, 307, 427, 504 and 506/34 of the Indian Penal Code.

Allegedly, all the FIR named accused persons including the petitioners forming an unlawful assembly armed with



various weapons came to the informant and damaged his boundary wall, due to non-fulfillment of demand of '*Rangdari*'. One Majiburrahman opened firing from his gun of the informant which hit his left hand. When his sister and neighbour came to save him, the accused assaulted them.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. Specific allegation is against the co-accused Majiburrahman to fire upon the informant. It is submitted that the parties are close agnates. Petitioners have two criminal antecedents.

Learned APP for the State as well as learned counsel for the informant have opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, since the specific allegation is against other co-accused, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five 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 Turkaulya P.S. Case No.985 of 2021 (G.R. No.6878 of 2021), subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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