

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28465 of 2022

Arising Out of PS. Case No.-296 Year-2021 Thana- BAISI District- Purnia

1. MUSHFIK @ MUSHFIK ALAM Son of Aftab Alam Resident of Village - Hathibandha, P.s.- Baisi, Distt.- Purnea.
2. Khurshid Son of Kurban Ali Resident of Village - Hathibandha, P.s.- Baisi, Distt.- Purnea.
3. Jahangir Son of Kurban Ali Resident of Village - Hathibandha, P.s.- Baisi, Distt.- Purnea.
4. Tanjil @ Mohammad Tanzil Son of Manzoor Resident of Village - Hathibandha, P.s.- Baisi, Distt.- Purnea.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Nafisuzzoha, Mr. Mazher Alam
	:	Mr. Dr. Ashok Kumar, Adv.
For the Opposite Party/s	:	Mr. Brajendra Nath Pandey
For the Informant	:	Mr. Saurav Anand, Adv.

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 22-11-2022 At the outset, It is submitted by learned counsel for the petitioners that he seeks permission to withdraw this application against petitioner nos. 1, 2 & 3.

Permission is accorded.

This application is dismissed as withdrawn against petitioner nos. 1, 2 & 3.

So far as petitioner no.4, namely, Tanjil is concerned, the instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Baisi P.S. Case no. 296 of 2021 instituted for the offence under Sections



147, 148, 149, 341, 323, 326, 504, 379, 307, 504, 506 of the Indian Penal Code.

As per allegation in the FIR, when the brother and father of the informant and JCB driver went for leveling the soil of government Tower, suddenly the petitioner along with other co-accused persons came and started assaulting them with knife due to which they sustained injury. It further alleged that the injured persons were taken to primary Hospital, from where they have referred to Purnia Sadar hospital.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. There is general and omnibus allegations against the petitioner. It is further submitted that the Specific allegation of inflicting injury to the injured persons is against other co-accused persons. Both parties are neighbour of each other and common owner of the land which has been acquired by the Electricity Department due to which the petitioner has falsely been implicated in this case.

Learned APP appearing for the state and learned counsel for the informant have opposed the prayer of anticipatory 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 petitioner no.4 on bail. The petitioner no.4 namely, Tanjil @ Mohammad Tanzil is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Baisi P.S. Case no. 296 of 2021, he 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 Chief Judicial Magistrate, Purnia subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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