

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41513 of 2021

Arising Out of PS. Case No.-179 Year-2020 Thana- JALE District- Darbhanga

1. MD. MANZAR Son of Md. Zafir Resident of Village - Supaulia, P.S. Jale, District- Darbhanga.
2. MD LADLE Son of Zafir Resident of Village - Supaulia, P.S. Jale, District- Darbhanga.
3. MD AKIL Son of Md. Ayub Resident of Village - Supaulia, P.S. Jale, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar, Adv.
For the Opposite Party/s : Mr.Rajendra Prasad Nat, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 05-07-2022 Heard the parties.

At the very outset, learned counsel for the petitioners seeks permission to withdraw the prayer for anticipatory bail of the petitioner no.1, as he has already been arrested.

Permission is granted.

Accordingly, the prayer for anticipatory bail made through the instant application, on behalf of the petitioner no.1 is dismissed as withdrawn.

Now, the present application is being heard for consideration of anticipatory bail of petitioner nos.2 and 3.

The petitioner nos.2 and 3 apprehend their arrest in a case



registered for the offence punishable under Sections 341, 323, 354(B), 447, 448, 504, 379, 147, 149, 313 of the IPC.

Allegedly, the petitioners along with other accused persons, after an altercation related to land, entered into the house of the informant and tore the clothes of her daughter with bad intention. Thereafter, they assaulted the informant's side.

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 due to the admitted land dispute. 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. The occurrence is of 11.10.202 but the fardbeyan was recorded on 14.10.2020 i.e. after a delay of three days, it creates doubt about the prosecution case. Petitioners have one criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, let the above named petitioner nos.2 and 3, 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 Jale P.S. Case No.179 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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