

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33560 of 2022

Arising Out of PS. Case No.-244 Year-2018 Thana- CHAUSA District- Madhepura

1. MD. SADIK S/o Md. Ajimuddin R/o Village- Paina, P.S.- Chousa, District- Madhepura
2. Md. Tanveer S/o Md. Ajimuddin R/o Village- Paina, P.S.- Chousa, District- Madhepura
3. Md. Iwran @ Md. Imran Alam S/o Md. Ajimuddin R/o Village- Paina, P.S.- Chousa, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Barun Kumar Singh, Advocate
For the Opposite Party/s : Mr. Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-11-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

Learned counsel for the petitioners seeks permission to withdraw the present anticipatory bail application with respect to petitioner no. 2 as he was arrested during pendency of the present anticipatory bail application.

Permission is accorded.

The petitioner nos. 1 and 3 apprehend their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 354, 447, 379, 307, 504 and 506 of the Indian Penal Code read with Section 27 of the Arms Act.



Learned counsel for the petitioners submits that rest of the petitioners are persons with clean antecedent and the informant alleges that petitioners along with other accused persons started constructing house forcibly on the informant's land despite decision of Gramkachari and Police and when the same was objected, it is alleged that petitioners and their family members came to informant's house, Sadiq and Tanveer fired at Faiyaz further Iwran assaulted son of the informant Saddam by means of an iron rod on account of which he became unconscious.

Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case, it is next submitted that informant and petitioners are related and informant is uncle of the petitioner, it is further submitted that on account of dispute relating to land, the present false case has been instituted. Learned counsel further submits that even presuming what has been alleged is true, without admitting for the purposes of anticipatory bail, then the injury suffered by injured is simple in nature as would manifest from Annexure-3 series to the anticipatory bail application.

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



Considering the submissions made by the learned counsel for the petitioners, the petitioner nos. 1 and 3, 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 Chousa P.S. Case No. 244 of 2018 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Rishi/-

U		T	
---	--	---	--

