

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37158 of 2022

Arising Out of PS. Case No.-139 Year-2020 Thana- BHAPTIAHI District- Supaul

1. MD. JALIL @ JALIL MIYA SON OF LATE FANI MIYA R/O VILLAGE-SADANANDPUR, P.S.- BHAPTIYAH, DIST.- SUPAUL
2. MD. MAJEBUL @ MAJEBUL NOT GIVEN R/O VILLAGE-SADANANDPUR, P.S.- BHAPTIYAH, DIST.- SUPAUL
3. MD. JAMIL @ MD. JAMIL AKHATAR SON OF MD. JALIL @ JALIL MIYA R/O VILLAGE- SADANANDPUR, P.S.- BHAPTIYAH, DIST.- SUPAUL

... .. Petitioners.

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun

For the Opposite Party/s : Mr. Sanjay Kumar Sharma

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 22-11-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

Learned counsel for the petitioners undertakes to remove the defects, as pointed out by the office, within four weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 149, 341, 323, 308, 379 & 354A of the Indian Penal Code.

The allegation against the petitioners is that they in



association of other co-accused are said to have assaulted the informant causing injury to him. The reason behind the occurrence is said to be land dispute.

It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is admitted land dispute between the parties. Both sides have filed cases against each other. Petitioners' side have filed case against the informant and the others earlier to the case under hand. The police has submitted the final form against the petitioners. Petitioner no.1 has one criminal antecedent while petitioner nos.2 & 3 have no criminal antecedent as mentioned in para-3 of this application.

Having regard to the facts and circumstances of the case as well as the fact that there is admitted land dispute between the parties, 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 lower Court where the case is



pending/successor Court in connection with Bhaptiyahi P.S.
Case No.139 of 2020, subject to the condition as laid down
under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

Trivedi/-

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

