

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48591 of 2022

Arising Out of PS. Case No.-54 Year-2022 Thana- SANHAULA District- Bhagalpur

1. MD NASIR S/o Hafiz Resident of Village- Mugiyachak, P.S.- Sanhoula, District- Bhagalpur.
2. Md. Soukat S/o Md. Hafiz Resident of Village- Mugiyachak, P.S.- Sanhoula, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Dhananjay Kumar Gupta, Adv. Mr. Deepak Kumar, Adv. Mr. Harish Chandra Patel, Adv.
For the Opposite Party/s	:	Mr.Amit Kumar Rakesh, Adv. Mr. Md. Nurul Hoda, Adv.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 16-12-2022 Heard the parties through video conferencing.

Petitioners seek regular bail in connection with Sanhaulla PS Case No. 54 / 2022 registered under Section 147, 148, 149, 447, 341, 323, 325, 307, 379, 504, 506 of the I.P.C.

As per the first information report the petitioner no. -1 / Md. Nasir assaulted the informant by means of *khanti* on his head and the petitioner no. -2 / Md. Soukat assaulted the informant's wife by means of iron rod due to which she sustained fracture injury in her right hand.

Learned counsel for the petitioners submits that both the parties are co-villagers and there is land dispute between



them. He further submits that there is case and counter case between the parties inasmuch as for an occurrence which has taken place on the same date and time Sanhaulla P.S. Case No. 55 / 2022 has been lodged by the side of the petitioners in which the informant and others have been made accused. Learned counsel further submits that petitioners are in custody since 01.05.2022 and charge sheet has already been submitted.

On the other hand, learned counsel for the informant vehemently opposes the prayer for bail and submits that there is specific allegation of assault against the petitioner nos. – 1 & 2 upon the informant and his wife and the injuries upon them have been found as grievous in nature.

Regard being had to the submissions made by the parties, taking into consideration the materials available on record, the fact that petitioners are in custody since 01.05.2022, charge sheet has already been submitted, there is case and counter case between the parties, the side of the petitioners have also received injuries and there is land dispute between them, as such, I am inclined to grant regular bail to the petitioners.

Let the petitioners, above named, be released on regular bail on furnishing bail bond of Rs. 20000 /- (twenty



thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-XI, Bhagalpur in connection with Sanhaulla P.S. Case No. 54 / 2022.

(Anil Kumar Sinha, J)

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