

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62574 of 2021

Arising Out of PS. Case No.-70 Year-2021 Thana- BALRAMPUR District- Katihar

1. MD. TAHJIB @ MD TAHJIB ALAM S/o Late Fajlur Rahman @ Fajalul Badi R/o Village- Bijol, P.S.- Balrampur, District- Katihar.
2. Md. Toufik S/o Late Fajlur Rahman @ Fajalul Badi R/o Village- Bijol, P.S.- Balrampur, District- Katihar.
3. Md. Tarik @ Md Tarik Anwar S/o Late Fajlur Rahman @ Fajalul Badi R/o Village- Bijol, P.S.- Balrampur, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Rahmatullah
For the Opposite Party/s : Mr.Dashrath Mehta

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 18-05-2022 It is submitted by learned counsel for the petitioners that during pendency of this application, petitioner no. 2 has been arrested and, as such, he seeks permission to withdraw this application against him.

In view of the aforesaid submission, this application is dismissed as withdrawn only against petitioner no. 2.

So far as rest of the petitioners are concerned, the instant application for anticipatory bail has been filed by the petitioner no. 1 and 3 apprehending their arrest in connection with Balrampur P.S. Case no. 70 of 2021 instituted for the offence under Sections 147, 341, 347, 348, 447, 323, 307, 379,



385, 504, 506/34 of the Indian Penal Code.

Prosecution story relates to abuse and assault to the informant and his family members by the petitioners and other co-accused persons when the petitioners were cutting bamboo from the land of the informant.

Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have been falsely implicated in this case. The matter relates to land dispute. In fact, informant wants to grab the land of the petitioners to which they had purchased from the co-sharer of the informant. Two injuries were received by the informant out of which one is bruise on back of chest and is simple in nature and other is bruise and abrasion around the neck.

Learned APP appearing for the State has opposed the prayer of 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 nos. 1 and 3 on bail. The petitioner nos. 1 and 3 are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Balrampur P.S. Case no. 70 of 2021, they 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 Additional Chief Judicial Magistrate-VI, Katihar subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

Ranjeet/-

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