

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64319 of 2021

Arising Out of PS. Case No.-365 Year-2020 Thana- BAHERA District- Darbhanga

1. Md. Rasheed Son Of Md. Safik R/O Village- Vishwanathpur Fardaha @ Bisnathpur, P.O.- Fardaha Tarauni, P.S.- Bahera, District- Darbhanga
2. Md. Iquabal Son Of Abdul Hamid R/O Village- Vishwanathpur Fardaha @ Bisnathpur, P.O.- Fardaha Tarauni, P.S.- Bahera, District- Darbhanga
3. Md. Akbar @ Phulo Son Of Md. Noor Mohammad R/O Village- Vishwanathpur Fardaha @ Bisnathpur, P.O.- Fardaha Tarauni, P.S.- Bahera, District- Darbhanga
4. Md. Khalique @ Abdul Khalique Son Of Md. Noor Mohammad R/O Village- Vishwanathpur Fardaha @ Bisnathpur, P.O.- Fardaha Tarauni, P.S.- Bahera, District- Darbhanga
5. Md. Ashif @ Samir @ Md. Samir Ashique Son Of Md. Noor Mohammad R/O Village- Vishwanathpur Fardaha @ Bisnathpur, P.O.- Fardaha Tarauni, P.S.- Bahera, District- Darbhanga
6. Md. Saddam @ Md. Saddamhasan Son Of Abdul Hamid R/O Village- Vishwanathpur Fardaha @ Bisnathpur, P.O.- Fardaha Tarauni, P.S.- Bahera, District- Darbhanga
7. Md. Meraj Son Of Abdul Hamid R/O Village- Vishwanathpur Fardaha @ Bisnathpur, P.O.- Fardaha Tarauni, P.S.- Bahera, District- Darbhanga
8. Md. Ainul Son Of Md. Hamid R/O Village- Vishwanathpur Fardaha @ Bisnathpur, P.O.- Fardaha Tarauni, P.S.- Bahera, District- Darbhanga

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sushil Kumar Jha
For the Opposite Party/s : Mr.Amitesh Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 23-05-2022 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners apprehend their arrest in Bahera P.S.

Case No. 365 of 2020, registered for the offences punishable



under Sections 323, 354 (B) and other allied sections of the Indian Penal Code.

Prosecution case in brief is that 17 named accused persons including petitioners and 8 to 10 unknown persons having armed with lathi, danda etc. entered into the house of informant, abused and started assaulting the informant and his family members, as a result of which several persons got injured. The alleged occurrence took place due to land dispute between the parties.

It is submitted that petitioners have been falsely implicated in this case and both parties are *pattidars*. There is case and counter case. Allegation is general and omnibus in nature against all the accused persons. The doctor has found the injuries sustained by the injured persons to be simple in nature. The alleged occurrence took place due to land dispute between the parties. Moreover, the case filed by these petitioners is earlier in point of time. Petitioners claim clean antecedents.

Considering the facts aforesaid, the petitioners above-named, in the event of their arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten



thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Benipur, Darbhanga in connection with Bahera P.S. Case No. 365 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

vinita/-

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