

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66135 of 2021

Arising Out of PS. Case No.-72 Year-2021 Thana- AKBARNAGAR District- Bhagalpur

1. MD SHAMSAD @ MD SHAMSHAD ALAM Son of Md. Salmuddin Resident of Village- Rashidpur, P.S.- Akbarnagar, District- Bhagalpur.
2. Md. Irshad @ Md. Irshad Alam S/o Md. Salmuddin Resident of Village- Rashidpur, P.S.- Akbarnagar, District- Bhagalpur.
3. Md. Azad @ Md. Shamiuddin Son of Md. Salmuddin Resident of Village- Rashidpur, P.S.- Akbarnagar, District- Bhagalpur.
4. Md. Afridi @ Md. Afridi Alam Son of Md. Shamsad @ Md. Shamsad Alam Resident of Village- Rashidpur, P.S.- Akbarnagar, District- Bhagalpur.
5. Lutfur Rahman Son of Md. Alaluddin Resident of Village- Rashidpur, P.S.- Akbarnagar, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Najmul Hodda

For the Opposite Party/s : Mr.Md. Shakir Ahmad

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 11-08-2022 At the outset of argument learned counsel for the petitioners seeks permission to withdraw the anticipatory bail petition of petitioner No.4, Md. Afridi @ Md. Afridi Alam.

Prayer is allowed.

This anticipatory bail petition is dismissed as withdrawn against petitioner No.4.

Heard learned counsel for the petitioners and the State.

Petitioners No. 1, 2, 3 and 5 apprehend their arrest in a case registered for the offence punishable under Section 307, 354(B) and some other allied Sections of the Indian Penal Code.

As per the prosecution case, all the petitioners participated in the assault in which three persons sustained injuries from the informant side.



Learned counsel appearing for the petitioners submits that petitioners are innocent and have falsely been implicated in the case. There is case and counter case. Both sides are Gotias and on account of land dispute the occurrence took place in which both sides sustained injuries. Injuries attributed to these petitioners are simple in nature. Petitioners have got clean antecedent.

Learned counsel appearing for the State opposes the prayer for anticipatory bail.

Considering the facts of the case and clean antecedent of the petitioners, let the petitioners No. 1 to 3 and 5, above named, in the event of their arrest/ surrender within a period of six weeks from today shall be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-I, Bhagalpur in connection with Akbarnagar PS case No. 72/ 2021, subject to conditions laid down u/s 438(2) of the Cr. P. C.

(Prabhat Kumar Singh, J)

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