

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72126 of 2021

Arising Out of PS. Case No.-15 Year-2021 Thana- ANGARH District- Purnia

1. DILARA KHATOON Wife of Kamrul Hoda @ Md. Qumrul Hoda R/o village- Palankaph, P.S. - Angarh, District - Purnea.
2. Kamrul Hoda @ Md. Qumrul Hoda Son of Late Ismaeel R/o village - Palankaph, P.S. - Angarh, District - Purnea.
3. Jahangair Alamm Son of Kamrul Hoda R/o village- Palankaph, P.S. - Angarh, District - Purnea.
4. Mazhar Son of Kamrul Hoda R/o village- Palankaph, P.S. - Angarh, District - Purnea.
5. Babar Son of Kamrul Hoda R/o village- Palankaph, P.S. - Angarh, District - Purnea.
6. Faizan Son of Kamrul Hoda R/o village- Palankaph, P.S. - Angarh, District - Purnea.
7. Anjan Son of Islam R/o Village - Chilahni, P.S. - Rauta, District - Purnea.
8. Bilal Son of Islam R/o Village - Chilahni, P.S. - Rauta, District - Purnea.
9. Asgar Son of Shahid R/o Village - Angarh, District - Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Dr. Bidhu Ranjan

For the Opposite Party/s : Mr. Bharat Bhushan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 06-07-2022 It is submitted by learned counsel for the petitioners that during pendency of this application, petitioner no. 6 has been arrested and, as such, he seeks permission to withdraw this application.

In view of the aforesaid submission, this application is dismissed as withdrawn.

So far as rest of the petitioners are concerned, the



instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Angarh P.S. Case no. 15 of 2021 instituted for the offence punishable under Sections 147, 149, 341, 323, 354(B), 379, 307 and 504 of the Indian Penal Code.

As per allegation in the FIR, while the informant was ploughing his field, several accused persons including the petitioners tried to stop him. On protest, they started to abuse and assault him with lathi danda and sword. When his wife came there for rescue him, she was also beaten up by them.

Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. General and omnibus allegations have been levelled against them. There is case and counter and both parties have sustained injury in the alleged incident. Specific allegation of overt act is against Faizan Ali who has assaulted the informant and has received grievous injury and except this other injuries of the informant and his wife are simple in nature. The petitioners have got no criminal antecedent.

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 to 5 and 7 to 9 on bail. They 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 Angarh P.S. Case no. 15 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 CJM, Purnea subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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