

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5403 of 2023

Arising Out of PS. Case No.-183 Year-2022 Thana- PIPRA District- East Champaran

1. NAJIR KHAN Son of Late Ishahak Khan Resident of Village- Kanth Chhapra, P.S.- Pipra, District- East Champaran
2. NAJIM KHAN @ MD. NAJIM KHAN Son of Najir Khan Resident of Village- Kanth Chhapra, P.S.- Pipra, District- East Champaran
3. MOHIBULLAH KHAN @ MAHBULLAH KHAN Son of Late Rahim Khan Resident of Village- Kanth Chhapra, P.S.- Pipra, District- East Champaran
4. HABIBULLAH KHAN @ HABIBULLAH Son of Late Rahim Khan Resident of Village- Kanth Chhapra, P.S.- Pipra, District- East Champaran
5. MANJUR KHAN Son of Late Akhtar Khan Resident of Village- Kanth Chhapra, P.S.- Pipra, District- East Champaran
6. MANIR KHAN Son of Late Rahim Khan Resident of Village- Kanth Chhapra, P.S.- Pipra, District- East Champaran
7. SABIR KHAN Son of Geyasudin Khan Resident of Village- Kanth Chhapra, P.S.- Pipra, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Mishra
For the Opposite Party/s : Mr.Anita Kumari

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY
ORAL ORDER

2 02-02-2023 Heard the learned counsel for the petitioners as well as the learned counsel for the informant.

At the very outset, the learned counsel for the petitioners seeks permission to withdraw this anticipatory bail petition with respect to petitioner No. 4 as he has been arrested during the pendency of this bail petition.

Permission is granted. The anticipatory bail petition



with respect to petitioner No. 4 is dismissed as withdrawn.

The rest petitioners apprehends their arrest in connection with Pipra P.S. Case No. 183 of 2022, registered for the offences punishable under Sections 147, 148, 149, 341, 323, 354, 307, 379, 504, 506 of the Indian Penal Code.

As per allegation, 19 named accused persons including the petitioners variously armed with *lathi*, *danda*, rod etc. came and badly assaulted the members of prosecution side, in which eight persons had sustained injuries. Some of the injuries are simple and some are the grievous in nature.

The learned counsel for the petitioners has submitted that there is land dispute between the parties. There is case and counter case. The case lodged on behalf of the petitioners side is prior to the present case and a number of persons from their side have also suffered injuries.

On the other hand, the learned counsel for the informant has opposed the prayer for bail and submitted that the accused persons badly assaulted the members of prosecution side and made them injured. Some of the injuries are grievous in nature.

Considering the above-mentioned facts and circumstances and the allegation which is general and omnibus



and also considering the clean antecedent of the petitioners, let the petitioners, in the event of their arrest or surrender within four weeks before the learned court below, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, East Champaran, Motihari in connection with Pipra P.S. Case No. 183 of 2022, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Nawneet Kumar Pandey, J)

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