

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9342 of 2023

Arising Out of PS. Case No.-158 Year-2022 Thana- CHANPATIA District- West Champaran

1. MOMATAJ ALAM @ MOMTAZ @ MUMTAZ DEWAN Son of Lalu Dewan R/o Gieacha Tola, P.S.- Chanpatiya, District- West Champaran
2. SHAHJAHN KHATOON Wife of Lalu Dewan R/o Gieacha Tola, P.S.- Chanpatiya, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 07-07-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 149, 341, 323, 325, 307, 327, 379, 504 and 506 of the Indian Penal Code.

Learned counsel for the petitioners submits that petitioner No. 1 has antecedent of one case and petitioner No. 2 is a person with clean antecedent and is a woman.

It is next submitted that on account of dispute relating to land false case has been instituted alleging that named accused persons assaulted the family member of the informant and when the informant tried to save them, the petitioner No. 1 alongwith



Fazil Dewan assaulted him. The learned counsel for the petitioners submits that from bare perusal of the allegation as alleged in the FIR, it would manifest that no specific allegation of assault is alleged against the petitioners with regard to assaulting the family members of the informant and the petitioner No. 2 per se is not alleged to have committed any overt act.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Chanpatiya P.S. Case No. 158 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Adnan/-

U		T	
---	--	---	--

