

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10624 of 2023

Arising Out of PS. Case No.-145 Year-2016 Thana- KAUWAKOL District- Nawada

1. MD. AFREIDI S/O MD. MANSOOR @ EBRAHIM MIYAN Resident of Village- Karnatand, P.S.- Kowakol, District- Nawada.
2. MD. JAVED S/O ASGAR MIYAN Resident of Village- Karnatand, P.S.- Kowakol, District- Nawada.
3. MD. SOYEB AKHTAR @ MATIN @ MD. SOHEB AKHTAR S/O WAKIL MIYAN Resident of Village- Karnatand, P.S.- Kowakol, District- Nawada.
4. MD. TANVEER S/O RAFIQUE Resident of Village- Dhamaul, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Verma, Advocate

For the Opposite Party/s : Mr. Akhileshwar Dayal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 06-07-2023 Heard learned counsels for the petitioners and the State.

Petitioners apprehend arrest in a case registered for the offences punishable under Sections 147, 149, 324, 307, 447, 504 of the Indian Penal Code.

It is alleged that on 20.11.2016, while the informant was at his house, all the F.I.R. named accused persons including these petitioners, armed with weapons, came at his house and started abusing him and co-accused Md. Babar assaulted the informant by means of *gadasa* on his head. It is further alleged



that when father of the informant came to rescue him, he was also assaulted by all the four petitioners.

Learned counsel appearing for the petitioners submits that both the parties are *gotiyas* and there is land dispute between them. Injury caused by co-accused Md. Babar has been found to be grievous whereas injuries caused by these petitioners are simple in nature. Moreover, F.I.R. has been lodged after delay of 8 days that itself creates doubt over the prosecution story. Petitioners have got clean antecedent.

Considering the aforesaid facts and circumstances, this anticipatory bail is allowed and it is ordered that the above named petitioners in the event of their arrest/surrender before the court below within a period of six weeks from today, 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 Additional Chief Judicial Magistrate-IV, Nawada in connection with Kawakol P. S. Case No. 145 of 2016, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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