

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6557 of 2023

Arising Out of PS. Case No.-137 Year-2022 Thana- NARPATGANJ District- Araria

1. MD. JABBAR Son of Late Khairoul Miya R/V- Adhura South, Thana-Narpatganj, Dsitt- Araria Bihar
2. Md. Munna @ Md. Sameer Son of Md. Jabbar R/V- Adhura South, Thana-Narpatganj, Dsitt- Araria Bihar
3. Chunna @ Md. Nasim Son of Md. Jabbar R/V- Adhura South, Thana-Narpatganj, Dsitt- Araria Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nishant Kumar Sinha, Adv.
For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 17-05-2023 Heard Mr. Nishant Kumar Sinha, learned counsel
for the petitioners and Mr. Tarun Prasad Mandal, learned
Additional Public Prosecutor for the State.

2. Petitioners apprehend their arrest in connection
with Narpatganj PS Case No. 137/2022 dated 30.03.2022
registered for the offence punishable under Sections 341, 323,
307, 386, 353, 504 and 506/34 of the IPC.

3. As per First Information Report lodged by the
Junior Engineer of Rural Works Division, Forbesganj, Araria
that while he was busy in the construction of village road at
Nathpur in discharge of his official duty, the petitioners



objected and demanded *Rangdari* failing which threatened that the road construction would not be allowed. It has also been alleged that petitioner no. 1, Md. Jabbar abused and assaulted the informant by means of spade.

4. Learned counsel for the petitioners submits that the petitioners are father and sons and they have falsely been implicated in this case due to hot exchange of words which took place between the petitioners and the junior engineer on the ground of plying motorcycle on the newly construct road. No such occurrence has taken place as alleged in the FIR and no injury has been brought on record by the prosecution.

5. Regards being had to the submissions made by the parties, taking into consideration the material on record and the fact that no injury report has been brought by the prosecution and the petitioners are father and sons, I am inclined to grant anticipatory bail to the petitioners.

6. Accordingly, let the petitioners, named above, in the event of arrest or surrender within four weeks from today, 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 Chief Judicial Magistrate, Araria in connection with Narpatganj PS Case No.



137/2022, subject to the condition as laid down under Section
438(2) CrPC.

(Anil Kumar Sinha, J)

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