

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8283 of 2023

Arising Out of PS. Case No.-47 Year-2018 Thana- MADHUBAN District- East Champaran

1. ASH MOHAMMAD Son of Sk. Mahammadin Resident of Village- Manikpur, P.S.- Madhuban, District- East Champaran
2. MD. SHAKIR @ MD. SAKIR Son of Sk. Lal Mohammad @ Lal Mohammad Resident of Village- Manikpur, P.S.- Madhuban, District- East Champaran
3. AANGURI BEGUM Wife of Sk. Sajid Resident of Village- Manikpur, P.S.- Madhuban, District- East Champaran
4. JAINAB KHATOON Wife of Md. Ekhlak Resident of Village- Manikpur, P.S.- Madhuban, District- East Champaran
5. MD. KHALID @ TUNNA @ KHALID HUSSAIN Son of Ash Mohammad Resident of Village- Manikpur, P.S.- Madhuban, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sangeet Deokuliar, Adv.
For the Opposite Party/s : Mr.Raj Ballabh Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 04-07-2023 Heard learned counsel for the petitioners and learned APP
for the State.

Vide order dated 16.05.2023, this application with regard
to petitioner no.1 was withdrawn.

Today, this application is being heard for consideration of
anticipatory bail on behalf of petitioner nos.2 to 5.

The petitioners apprehend their arrest in a case registered
for the offence punishable u/s 147, 148, 149, 341, 323, 324, 307,



379, 436 IPC and section 27 of the Arms Act.

As per the prosecution case, the F.I.R. named accused persons including the petitioners indiscriminately assaulted the informant's side by means of various weapons.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case due to a drainage dispute. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. The specific allegation is against the accused Ash Md., who assaulted the informant and the injury was found grievous in nature. It is further submitted that for the alleged occurrence, there is case and counter-case between the parties. Petitioner nos.2 and 5 have one criminal antecedent and petitioner nos.3 and 4 have no criminal antecedent.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, let the above named petitioner nos.2 to 5, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each



with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Madhuban P.S. Case No.47 of 2018/G.R. Case No.1399 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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