

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14044 of 2023

Arising Out of PS. Case No.-106 Year-2022 Thana- PAHARKATTA District- Kishanganj

1. MUSARAFF SON OF ENUDDIN R/O VILLAGE- KHAJURBARI, P.S.- PAHARKATTA, DISTRICT- KISHANGANJ
2. ANJUMAN WIFE OF MUSARAFF R/O VILLAGE- KHAJURBARI, P.S.- PAHARKATTA, DISTRICT- KISHANGANJ

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mannan Khan, Adv.
Mr.Md. Najmul Hodda, Adv.
For the Opposite Party/s : Mr.Anant Kumar 1, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-05-2023 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 341, 323, 324, 307, 504, 34 of the Indian Penal Code.

Allegedly, petitioners along with other accused persons, surrounded the informant and his son and started assaulting them.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. No such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is specific allegation



against Md. Manjur that he assaulted the informant's son with sword as a result of which he sustained grievous injury. There is admitted family dispute between the parties. There is case and counter case between the parties. Both sides have sustained injuries. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, as there is no specific allegation against the petitioners, let the above named petitioners, 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 lower Court where the case is pending/successor Court in connection with Paharkatta P.S. Case No. 106 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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