

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11495 of 2023

Arising Out of PS. Case No.-157 Year-2022 Thana- LAURIA District- West Champaran

1. Md. Amir @ Amir Ali S/O Najre Alam R/O- Sahua Tand, P.S.- Lauriya, District- West Champaran
2. Sadre Alam S/O Samsid Alam R/O- Maldahiya, P.S.- Shikarpur, District- West Champaran
3. Arsad Ahmad @ Arshad Ali S/O Ahmad Ali R/O- Maldahiya, P.S.- Shikarpur, District- West Champaran
4. Nasir Ali S/O Md. Maruf R/O- Raibari Mahuawa, P.S.- Chautarwa, Bagaha, 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.Pushpa Sinha.1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-05-2023 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner seeks permission to
withdraw the bail application of petitioner no. 2 namely, Sadre
Alam.

Permission is accorded.

However, if the petitioner no. 2 surrenders before the
learned court below within a period of six weeks from today and
seeks regular bail, the learned court below would pass the
order, preferably, on the same day , without being prejudiced by



this order. Petitioners No. 1,3 and 4 apprehend their arrest in connection with Lauriya P.S. Case No. 157 of 2022 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 307, 379, 504, 506 the Indian Penal Code.

As per the prosecution case, all the FIR named accused persons including the petitioners came and abused and assaulted the informant and his family members with iron rod , Axe, lathi and Danda. Co-accused Amir Ali and Sadre Alam assaulted the informant younger brother by iron rod and Farsa on his head and hand causing grievous injury to them.

Learned counsel for the petitioners submitted that petitioners have falsely been implicated in this case. There is admitted land dispute between the parties and both the parties have sustained injuries. It is further submitted that injury sustained by injured found simple in nature and brother of the informant sustained one grievous injury. It is further submitted that petitioners have clean antecedents as stated in para-3 of this application.

Considering this fact that there is case and counter case between the parties as well as submission of the parties, let the above named petitioners, in the event of their arrest/ surrender within four weeks from the date of receipt of this



order to the court concerned, shall be released on bail on furnishing bail bonds of Rs 25,000/- (Twenty Five thousand) each with two sureties of the like amount to the satisfaction of the learned Additional Chief Judicial Magistrate, 1st Bettiah, West Champaran in Lauriya P.S. Case No. 157 of 2022, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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