

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12469 of 2023

Arising Out of PS. Case No.-468 Year-2021 Thana- SAHARSA SADAR District- Saharsa

1. MD. ANVAR @ MD. ANWAR Son of Md. Rafique R/o Saharsa Basti, Ward no. 38, P.s- Saharsa Sadar, Dist- Saharsa
2. Md. Mehdi Hasan @ Mehendi @ Mehendi Hasan Son of Late Maiful @ Md. Mahful Mishtri R/o Saharsa Basti, Ward no. 38, P.s- Saharsa Sadar, Dist- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Mishra, Adv.

For the Opposite Party/s : Mr.Anil Kumar Singh No. 1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-05-2023 Heard the parties.

The petitioners apprehend their arrest in a case registered for the offence punishable u/s 147, 148, 149, 341, 323, 307, 379, 336, 384, 504, 506, 447 of the IPC.

As per the prosecution case, all the F.I.R. named accused persons including the petitioners were forcefully trying to build boundary over the land of informant and on protest, they indiscriminately assaulted the informant's side.

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 land dispute. No such occurrence, in the manner as alleged, has ever



taken place. For the alleged occurrence, there is a case and counter-case between the parties and injury was found simple in nature. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. One of the injured Md. Moseen is said to have sustained grievous injury but the same has been inflicted to him by the co-accused Md. Qutush and Md. Nice. Petitioners have no criminal antecedent.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, since there is no specific overt act 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 court below where the case is pending/Successor Court in connection with Saharsa Sadar P.S. Case No.468 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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