

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12920 of 2023

Arising Out of PS. Case No.-398 Year-2022 Thana- UCHKAGAON District- Gopalganj

1. SHAIFULLAH @ SAFULLAH SON OF WAHID MIYAN R/O VILL.- PAKHOPALI, P.S.- UCHKAGAON, DISTT.- GOPALGANJ
2. MATIULLAH SON OF WAHID MIYAN R/O VILL.- PAKHOPALI, P.S.- UCHKAGAON, DISTT.- GOPALGANJ
3. SANAULLAH @ BHAKUR MIYAN SON OF WAHID MIYAN R/O VILL.- PAKHOPALI, P.S.- UCHKAGAON, DISTT.- GOPALGANJ
4. ARSHAD @ ARSHAD MIYAN SON OF SHAIFULLAH @ SAFIULLAH R/O VILL.- PAKHOPALI, P.S.- UCHKAGAON, DISTT.- GOPALGANJ
5. JAWED @ JAWED MIYAN @ JAWED RAZA SON OF SANAULLAH @ BHAKUR MIYAN R/O VILL.- PAKHOPALI, P.S.- UCHKAGAON, DISTT.- GOPALGANJ
6. ZEBA @ ZEBA KHATOON D/O MATTIULLAH R/O VILL.- PAKHOPALI, P.S.- UCHKAGAON, DISTT.- GOPALGANJ
7. MUSKAN @ MUSKAN KHATTOON D/O SANAULLAH @ BHAKUR MIYAN R/O VILL.- PAKHOPALI, P.S.- UCHKAGAON, DISTT.- GOPALGANJ

... .. Petitioners.

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhramveer

For the Opposite Party/s : Mr. Damodar Prasad Tiwary

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 28-04-2023 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 147, 149,
323, 379, 354B, 504 & 506 of the Indian Penal Code.

The allegation against the petitioners is that they



said to have assaulted the informant and her family members by means of lathi, danda, fists and legs. The dispute behind the occurrence is said to be row over erecting terrace by the neighbour of the informant.

It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case due to land dispute. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is admitted land dispute between the parties for which a proceeding under Section 107 Cr.P.C. is going on between the parties. The injury sustained by the victim is simple in nature. No injury report is available on record. Petitioners have one criminal antecedent as mentioned in para-3 of this application.

Having regard to the facts and circumstances of the case as well as the fact that there is admitted land dispute between the parties and the nature of injury is simple in nature, 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 Uchkagaon P.S. Case No.398 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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