

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16317 of 2023

Arising Out of PS. Case No.-142 Year-2022 Thana- CHAKIA District- East Champaran

1. Rahman Miyan Son Of Late Khobari Miyan Resident Of Village - Garhiya, Ward No - 10, P.S. - Madhuban, District - East Champaran
2. Tabrej Miyan Son Of Ijrail Miyan Resident Of Village - Garhiya, Ward No - 10, P.S. - Madhuban, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar No.Iii

For the Opposite Party/s : Mr. Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 24-06-2023 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, 307, 379 and 34 of the Indian Penal Code.

As per the prosecution case, the petitioners along with other accused persons are said to have inflicted knife blow upon the informant and snatched Rs. 95,000/- and Golden chain of Rs. 40,000/- from him.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He submits that



the petitioner no. 1 is the grandfather of the petitioner no. 2. There is admitted land dispute between the parties. There is case and counter case between the parties and both sides have sustained injury, injury was found simple in nature, it is clear from the impugned order itself. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposes prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, the nature of the injury and the fact that there is land dispute between the parties, 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 Chakiya P.S. Case No.142 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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