

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19228 of 2023

Arising Out of PS. Case No.-175 Year-2022 Thana- CHHATAPUR District- Supaul

1. MD. NASIM son of Md. Jahir Village- Chunni ward no-1 Ps- Chhatapur Dist- Supaul
2. Bibi Masina Khatoon @ Masina Khatoon wife of Md. Nasim Village- Chunni ward no-1 Ps- Chhatapur Dist- Supaul

... .. Petitioners.

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prafull Chandra Thakur

For the Opposite Party/s : Mr. Zainul Abedin

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 24-06-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 324, 325, 307, 354B, 379, 504 & 506 of the Indian Penal Code.

It is alleged that petitioner no.1 assaulted the son of the informant, whereas petitioner no.2 assaulted 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 dirty village politics. As a matter of fact, both the parties are agnates and due to land dispute, they have been falsely implicated in this



case. The injury attributed by petitioner no.1 is simple in nature and the petitioner attributed by petitioner no.2 is grievous in nature. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

Having regard to the facts and circumstances of the case as the injury attributed by petitioner no.1 is simple in nature, let the above named petitioner no.1, be released on bail, in the event of his 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) 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 Chhatapur P.S. Case No. 175 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

Considering the facts and circumstances of case and the fact that the injury attributed by petitioner no.2 is grievous in nature, I am not inclined to enlarge petitioner no.2 on anticipatory bail. The prayer for anticipatory bail of the petitioner no.2 is hereby rejected.

However, if petitioner no.2 surrenders before the learned Court below within six weeks from today and seek



regular bail, the learned Court below would pass order on the same day in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

Trivedi/-

U		T	
---	--	---	--

