

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.28984 of 2023**

Arising Out of PS. Case No.-290 Year-2022 Thana- CHHATAPUR District- Supaul

1. Md. Samim Son Of Late Alluddin R/O Village- Narhariya, Ward No.8, P.S.- Chhatapur, District- Supaul
2. Md. Najim Son Of Late Alluddin R/O Village- Narhariya, Ward No.8, P.S.- Chhatapur, District- Supaul
3. Md. Israil Son Of Late Alluddin R/O Village- Narhariya, Ward No.8, P.S.- Chhatapur, District- Supaul
4. Md. Arif Son Of Late Abul Hassan R/O Village- Narhariya, Ward No.8, P.S.- Chhatapur, District- Supaul
5. Md. Nausad Son Of Md. Arif R/O Village- Narhariya, Ward No.8, P.S.- Chhatapur, District- Supaul

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Naresh Chandra Verma

For the Opposite Party/s : Mr.Murli Dhar

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

3      30-10-2023                      Heard learned counsel for the petitioners and learned  
Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 147, 148, 149, 447, 448, 323, 324, 325, 307, 427, 354A, 379, 504, 506 and 435 of the Indian Penal Code.

3. Petitioners are said to have lit the fire of the house of the informant. They also assaulted one Sadre Alam on his head by means of sword.

4. Learned counsel for the petitioners submits that



the petitioners are innocent and have been falsely implicated in this case due to land dispute. He submits that there is no specific overt act against the petitioners. He submits that there is general and omnibus allegation levelled against the petitioners. He further submits that petitioners have no criminal antecedent as stated in para-3 of the bail application.

5. Learned APP for the State opposing the prayer for bail submits that there is specific allegation against the petitioner no. 1 who assaulted one Sadre Alam by means of sword and the injury found upon him is grievous in nature.

6. Considering the facts and circumstances of the case and the fact that there is general and omnibus allegation against the petitioner nos. 2 to 5, let the above named petitioner nos. 2 to 5 in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail 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 Chhatapur P.S. Case No. 290 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

7. So far as petitioner no. 1 is concerned, there is



specific overt act against him, I am not inclined to enlarge the petitioner no. 1 on bail. Accordingly, his prayer for anticipatory bail is rejected in connection with the aforesaid case.

**(Anjani Kumar Sharan, J)**

devendra/-

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