

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21852 of 2023

Arising Out of PS. Case No.-410 Year-2022 Thana- JOKIHAT District- Araria

1. Hasan @ Ali Hasan @ Md. Ali Hasan (Male), aged about 45 years son of Nafil
2. Salim (Male), aged about 22 years son of Yusuf
3. Sarwar @ Md. Sarwar @ Sarwar Alam (Male), aged about 35 years son of Nafil
4. Yusuf @ Md. Yusuf @ Md. Yuduf (Male), aged about 50 years son of Nafil
5. Tassawar @ Tassawwar (Male), aged about 19 years, son of Sarwar
6. Musayeed @ Mushahid (Male), aged about 26 years, son of Hasan Ali
All Resident Of Village- Pansarwa Ward No.-6, Police Station- Mahalgaon,
District- Araria.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anamul Haque, Advocate
For the Opposite Party/s : Mr. Arun Kumar Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 24-06-2023 Heard Mr. Anamul Haque, learned counsel appearing

on behalf of the petitioners and Mr. Arun Kumar Pandey,

learned APP for the State.

2. The petitioners seek pre-arrest bail in connection
with Jokihat (Mahalgaon) P.S. Case No. 410 of 2022 registered
for the offence punishable under Sections 341, 323, 308, 506
and 34 of the Indian Penal Code.

3. Prosecution story, in brief, is that the family
members of the petitioners were engaged in fierce fight and the



informant went to pacify them in which he had sustained injury on his back.

4. Learned counsel appearing on behalf of the petitioners submitted that there is case and counter case between the parties. Both the parties are family members and due to land dispute, the allegation has been made against the petitioners. Injury sustained by the informant and the other victim is simple in nature. Petitioners have clean antecedent. On these grounds, petitioners seek to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the nature of allegation made against the petitioners as well as the fact that there is case and counter case between the parties, I am of the opinion that petitioners have, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioners, above named, are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the Court below within a period of four 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 learned C.J.M., Araria in



connection with Jokihat (Mahalgaon) P.S. Case No. 410 of
2022, subject to the condition as laid down under Section 438(2)
of the Cr.P.C.

(Purnendu Singh, J)

Niraj/Nilmani

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