

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24099 of 2023

Arising Out of PS. Case No.-183 Year-2022 Thana- PIPRA District- East Champaran

1. SHAMSHAD KHAN Son of Tufail Khan @ Md. Tufail Khan Resident of Kanthchhapra, P.S.-Pipra, District-East Champaran
2. TUFAIL KHAN @ MD. TUFAIL KHAN Son of Hashim Khan Resident of Kanthchhapra, P.S.-Pipra, District-East Champaran

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate.

For the Opposite Party/s : Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 07-07-2023 Heard Mr. Ajay Kumar Singh, learned counsel for the petitioners and Mr. Shailendra Kumar, learned Additional Public Prosecutor appearing for the State.

Petitioners apprehend their arrest in connection with Pipra P.S. Case No. 183 of 2022 registered for the offence punishable under Sections 147, 148, 149 341, 323, 354, 307, 379, 504, 506 of the Indian Penal Code and Section 27 of the Arms Act.

As per the prosecution case altogether 19 accused persons forming an unlawful assembly assaulted the informant and his family members due to land dispute.

Learned counsel for the petitioners submits that the



petitioners have not committed any offence in the manner alleged and they have been implicated in this case due to land dispute between the parties. There is a case and counter case also and an F.I.R. has been lodged by co-accused Mohibullah against the informant and his family members. He next submits that no specific overt act is attributable to the petitioners and the allegation against them is general and omnibus in nature. The petitioners are having no criminal antecedents.

Regards being had to the submission made by the parties and taking into consideration the fact that there is land dispute between the parties, case and counter case is also there, the allegation against the petitioners is general and omnibus in nature and the petitioners have no criminal antecedents, I am inclined to grant anticipatory bail to the petitioners.

Accordingly, in the event of arrest or surrender before the court below within six weeks from today, petitioners, above named, shall be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran, in connection with Pipra P.S. Case No. 183 of 2022, subject to the condition as laid down



under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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