

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23792 of 2023

Arising Out of PS. Case No.-166 Year-2022 Thana- BISFI District- Madhubani

1. MD. TAMANE son of Md. Aslam Village- Babhangawan PS- Bisfi Dist- Madhubani
2. Md. Mister @ Mister son of Md. Tamane Village- Babhangawan PS- Bisfi Dist- Madhubani
3. Rubbi Khatoon @ Ribbi Khatoon wife of Md. Tamane Village- Babhangawan PS- Bisfi Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Das, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-07-2023 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 324, 307, 354, 379, 504, 506 and 34 of the Indian Penal Code.

3. Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and petitioner no. 3 is a woman and the informant alleges that on account of a dispute relating to land, an altercation took place, further seven named accused persons including the petitioners came variously armed and started abusing the informant on which the informant



protested, thereafter her husband came to rescue her, when it is alleged that petitioner no. 2 indiscriminately assaulted him with *Aari* causing injury on his head and cut injury on his elbow, thereafter accused persons also assaulted him with *lathi* and rod, further petitioner no. 1 assaulted the informant with *Khanti* causing injury on her head and when she fell down, the accused caught her hair and assaulted her, it is next alleged that during altercation, the accused persons snatched her ear rings and gold chain.

4. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present case, it is next submitted that the informant and the petitioners are *agnates* and are having dispute relating to land and from perusal of the allegation as alleged in the F.I.R., it would manifest that though there is allegation that petitioner no. 2 has assaulted indiscriminately with *Aari*, but then the injury report does not corroborate the case of the prosecution of assault, as the injury found on the informant and her husband is simple in nature.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the



event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Bisfi (Aunsi O.P.) P.S. Case No. 166 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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