

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30149 of 2023

Arising Out of PS. Case No.-147 Year-2023 Thana- AMARPUR District- Banka

1. MD. SHOHRAB KHAN RIZWI @ MD. SHOHRAB KHAN Son of Late Md. Shamsheer Khan Resident of village - Dhimada, P.S. - Amarpur, Dist. - Banka
2. Md. Sarfaraj Khan Son of Md. Shahrab Khan Resident of village - Dhimada, P.S. - Amarpur, Dist. - Banka
3. Md. Zafrul Khan @ Mantu Son of Late Md. Shamsheer Khan Resident of village - Dhimada, P.S. - Amarpur, Dist. - Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Davendra Kumar Pandey, Adv.
For the Opposite Party/s	:	Mr.Prem Kumar Jha, APP
For the Informant	:	Mr.Dhananjay Kumar Pandey, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 14-07-2023 Heard the parties.

The petitioners apprehend their arrest in a case registered for the offence punishable u/s 341, 323, 307, 504, 506, 34 IPC.

As per the prosecution case, petitioner no.1 assaulted the informant by means of iron rod on his head and petitioner no.3 assaulted the brother of the informant by means of lathi on his head. It is further alleged that all the accused persons committed '*mar pit*' with lathi-danda and rod.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case due to land



dispute. No such occurrence, in the manner as alleged, has ever taken place. It is submitted that the parties are agnates and there is an admitted land dispute between them. Injury of the injured were found simple in nature, which is evident from injury reports enclosed at Annexure-3 series. Petitioners have no criminal antecedent.

Learned APP for the State as well as learned counsel for the informant opposed the prayer for bail.

Having regard to the facts and circumstances of the case, since the injuries are simple in nature and parties are agnates, let the above named petitioners, be released on bail, in the event of their 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) 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 Amarpur P.S. Case No.147 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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