

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30480 of 2023

Arising Out of PS. Case No.-68 Year-2023 Thana- DUMRA District- Sitamarhi

1. Md. Kariman Son Of Md. Multan Resident Of Village - Barharwa, Ward No. 19, P.S. - Dumra, Distt. - Sitamarhi
2. Abdul Gani @ Md. Ganni Son Of Md. Multan Resident Of Village - Govindpur, P.S. - Harsidhi, Distt. - East Champaran
3. Md. Lal @ Mohammad Lal Babu Son Of Md. Multan Resident Of Village - Govindpur, P.S. - Harsidhi, Distt. - East Champaran

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr.Santosh Kumar, Advocate
		Mr. Alok Kr.Alok, Advocate
For the State	:	Mr. Pramod Kumar Pandey, APP
for the informant		Mr. P.K.Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 18-07-2023 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend arrest in a case registered for the offence punishable under sections 307/379/447/149 and other ancillary sections of the Indian Penal Code.

3. As per the prosecution case, due to prior land dispute, petitioners and other accused persons, variously armed, came at the door of the informant and started abusing her and on protest, co-accused Md. Chhote inflicted dabiya blow upon her



head causing cut injury and when her husband and dewar came to save her, petitioner no. 2 and co-accused Md. Lal inflicted sword and knife blow to them causing cut injury. Petitioner no.1 dragged the informant on the ground and tore her clothes.

4. It is submitted on behalf of the petitioners that due to land dispute, marphit took place between the parties. No overt act has been alleged against petitioner no.1, whereas petitioners no.2 and 3 are alleged to have assaulted husband of the informant Md. Iftexhar Alam and doctor found one of the injuries to be grievous in nature. Learned counsel argues that it is not clear that who caused grievous injury to the husband of the informant. Petitioners claim clean antecedent.

5. Learned counsel for the State as well as the informant oppose the prayer for bail.

6. Considering the aforesaid facts of the case, prayer for bail of petitioners no. 1 and 3 is allowed. In the event of arrest/surrender within six weeks from today, let these petitioners, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Sitamarhi in Dumra Police Station Case No. 68 of 2023, subject to the conditions laid down under section 438(2)



of the Code of Criminal Procedure.

7. Prayer for bail of petitioner no.2 is rejected.

(Prabhat Kumar Singh, J)

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