

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37808 of 2023

Arising Out of PS. Case No.-1 Year-2023 Thana- DUMRA District- Sitamarhi

1. Ahmad Reja @ Md. Ahmad Reja Son of Md. Samshul Resident of village - Kethariya, PS. Dumra, District - Sitamarhi.
2. Guddi Khatoon Wife of Md. Ahmad Reja Resident of village - Kethariya, PS. Dumra, District - Sitamarhi.
3. Anusa Khatoon Wife of Md. Irsad Resident of village - Kethariya, PS. Dumra, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Mishra, Adv.
For the Opposite Party/s : Mr. Binod Kumar No.3, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 28-07-2023 Heard Mr. Ranjeet Kumar Mishra, learned counsel
for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest in connection with Dumra P.S. Case No. 1 of 2023 registered for the offences punishable under Sections 147, 149, 341, 323, 324, 307 and 504 of the Indian Penal Code.

3. Allegedly, on account of land dispute, all the FIR named accused persons including the petitioners variously armed came to the house of the informant and started abusing. On protest being made, it is alleged that co-accused Faisal inflicted repeated knife blow on the son of the informant. Apart



from the other allegation, it is also alleged that petitioner no.1 Ahmad Reja, inflicted knife blow on the informant causing injury on his right hand.

4. Learned counsel for the petitioners submits that there is an admitted land dispute between the parties, who are *pattidar* and, moreover, the injury attributable to the petitioner no.1, is found to be simple in nature as would be evident from the impugned order itself. He further submits that with regard to the occurrence as alleged in the FIR, a counter case has also been lodged bearing Dumra P.S. Case No. 2 of 2023 against the informant and his family members. So far the petitioners no. 2 and 3 are concerned, they are ladies and there is no allegation against them barring that they were present on the place of occurrence. The petitioners bear no criminal antecedent.

5. On the other hand, learned counsel for the State opposes the application for pre-arrest bail and submits that the petitioner no.1 inflicted knife blow upon the informant.

6. Regard being had to the submissions made on behalf of the parties and considering the nature of injury which is attributable to the petitioner no.1, apart from the counter version of the present case, coupled with the fair antecedent of the petitioners as well as the genesis of the case, 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 four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi in connection with Dumra P.S. Case No. 1 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C., with further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

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