

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43666 of 2023

Arising Out of PS. Case No.-50 Year-2023 Thana- KADWA District- Katihar

1. NAZIR HUSSAIN @ NAZIR son of Abdul Haque Village- Raniganj Ps- Kadwa Dist- Katihar
2. Zabir Alam son of Abdul Haque Village- Raniganj Ps- Kadwa Dist- Katihar
3. Anisur Rahman son of Abdul Haque Village- Raniganj Ps- Kadwa Dist- Katihar
4. Rehana Khatoon wife of Nazir Hussain Village- Raniganj Ps- Kadwa Dist- Katihar

... .. Petitioner/s

Versus

THE STATE OF BIHAR PATNA BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.N.K. Agrawal, Sr. Adv. Mr.Md. Ataur Rahman, Adv.
For the Opposite Party/s	:	Mr.Chandra Sen Prasad Singh, APP
For the Informant	:	Mr.Vivekanand Jha, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-08-2023 Heard the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable u/s 147, 149, 379, 435, 341, 323, 307, 504, 506, 148 of the IPC.

3. As per the prosecution case, the F.I.R. named accused persons including the petitioners armed variously, came at the house of the informant and started breaking the house and on protest, they indiscriminately assaulted the informant's side.

4. It is submitted by learned Senior Counsel for the petitioners that petitioners are quite innocent and have committed



no offence. They have been falsely implicated in this case due to ulterior motive. No such occurrence, in the manner as alleged, has ever taken place. There is an admitted land dispute between the parties for which a title suit is pending in the learned Court below. It is further submitted that there is case and counter-case between the parties and both sides have sustained grievous injury. Petitioners have no criminal antecedent.

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

6. Having regard to the facts and circumstances of the case, since both sides have sustained grievous injury, 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 Kadwa P.S. Case No.50 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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