

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46486 of 2023

Arising Out of PS. Case No.-728 Year-2022 Thana- MADHEPURA District- Madhepura

1. BAKIL NADAF @ WAKIL NADAF Son of Hakim Nadaf Residence of Village - Kamalpur, Ward No.- 14, P.S.- Madhepura (Ghailarh O.P.), District - Madhepura.
2. Hakim Nadaf Son of Late Azmat Nadaf @ Ajamat Nadaf Residence of Village - Kamalpur, Ward No.- 14, P.S.- Madhepura (Ghailarh O.P.), District - Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amarnath Jha, Adv.

For the Opposite Party/s : Mr.Ajay Kumar No. 2, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 05-10-2023 Heard the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable u/s 147, 148, 149, 341, 323, 324, 307, 379, 354(A), 504 of the IPC.

3. As per the prosecution case, the F.I.R. named accused persons including the petitioners indiscriminately assaulted the informant's side by means of various weapons.

4. 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 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 going on in the learned Court below. It is further submitted that the present case is the counter-blast of Madhepur (Ghailarh OP) P.S. Case No.727/2022 lodged by the petitioner no.2 against the informant of this case and others. The injury of the injured Mazlum Nadaf and Md. Kari Nadaf have been found simple in nature. Petitioner no.1 and 2 have eight and five criminal antecedent respectively.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, since the injuries are simple in nature, 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 Madhepura (Ghailarh OP) P.S. Case No.728 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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