

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49630 of 2023

Arising Out of PS. Case No.-138 Year-2023 Thana- AAJAM NAGAR District- Katihar

1. AAMIR HUSAIN @ AAMIR HUSSAIN S/O LATE JASIMUDDIN R/O VILLAGE- MANIK NAGAR, PS. AZAMNAGAR (SALMARI O.P.), DIST. KATIHAR
2. JAZIR HUSAIN @ ZAKIR HUSSAIN S/O LATE JASIMUDDIN R/O VILLAGE- MANIK NAGAR, PS. AZAMNAGAR (SALMARI O.P.), DIST. KATIHAR
3. SARFARAZ S/O ZAKIR HUSSAIN R/O VILLAGE- MANIK NAGAR, PS. AZAMNAGAR (SALMARI O.P.), DIST. KATIHAR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimal Kumar

For the Opposite Party/s : Mr. Dashrath Mehta

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 11-08-2023 Heard learned counsel for the petitioners as well as
the learned APP for the State.

2. Learned counsel for the petitioner seeks permission
to withdraw this anticipatory bail petition in respect of petitioner
No. 2.

3. In view of the aforesaid submission, the
anticipatory bail of the petitioner no. 2 is dismissed as
withdrawn.

4. The petitioner Nos. 1 and 3 apprehend their arrest
in connection with Azamnagar (Salmari O.P.) P.S. Case No. 138



of 2023, registered for the offences punishable under Sections 341, 323, 325, 308, 379, 354(B), 504, 506/34 of the Indian Penal Code.

5. As per allegation, the informant Manwara Khatoon along with her daughter Anjura Khatoon were sitting at their *darwaja*, in the meantime petitioners along with other accused persons came there and started abusing them and said that they had grabbed their entire property. On protest, petitioner No. 1 assaulted on the head of the informant with *lathi* due to which she suffered head injury and petitioner No. 3 torn clothes of informant's daughter.

6. Learned counsel for the petitioners has submitted that both the parties are agnates and the FIR shows itself that there is land dispute. He has further submitted that injuries are simple in nature and petitioner no. 1 and 3 are the persons of clean antecedents.

7. Considering these facts and circumstances as well as clean antecedents of petitioner nos. 1 and 3, let the petitioners, in the event of their arrest or surrender within four weeks before the learned court below, be released 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



learned Chief Judicial Magistrate, Katihar in connection with
Azamnagar (Salmari O.P.) P.S. Case No. 138 of 2023, subject
to the conditions as laid down under Section 438(2) Cr.P.C.

(Nawneet Kumar Pandey, J)

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