

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52795 of 2023

Arising Out of PS. Case No.-20 Year-2023 Thana- NAANPUR District- Sitamarhi

1. Md. Mahtab Alam Khan @ Mahtab Khan Son Of Late Anwarul Haque Khan R/O-Rasulganj @ Koily, P.S.-NANPUR, Distt.-SITAMARHI, Bihar-843333 And Presently Residing At Ward No. 33, Talkhapur Dumra Kothi, P.S.-PUNAURA, Distt.-SITAMARHI
2. Dilkash Alam Khan @ Dilkash Khan Son Of Md. Mahtab Alam Khan R/O-Rasulganj @ Koily, P.S.-NANPUR, Distt.-SITAMARHI, Bihar-843333 And Presently Residing At Ward No. 33, Talkhapur Dumra Kothi, P.S.-PUNAURA, Distt.-SITAMARHI
3. Md. Sajid Anwar Khan @ Sajid Khan Son Of Md. Mahtab Alam Khan R/O-Rasulganj @ Koily, P.S.-NANPUR, Distt.-SITAMARHI, Bihar-843333 And Presently Residing At Ward No. 33, Talkhapur Dumra Kothi, P.S.-PUNAURA, Distt.-SITAMARHI
4. Md. Jamirul Hassan Khan Sonof Late Saied Khan R/O-Rasulganj @ Koily P.S.-NANPUR, Distt.-SITAMARHI, Bihar-843333
5. Md. Amanul Hasan Khan Son Of Late Saied Khan R/O-Rasulganj @ Koily P.S.-NANPUR, Distt.-SITAMARHI, Bihar-843333
6. Abdul Vahab Khan @ Vahab Alam Khan Son Of Late Anwarul Haque Khan R/O-Rasulganj @ Koily P.S.-NANPUR, Distt.-SITAMARHI, Bihar-843333
7. Md. Intekhab Alam Khan @ Intekhab Alam Khan Son Of Late Anwarul Haque Khan R/O-Rasulganj @ Koily P.S.-NANPUR, Distt.-SITAMARHI, Bihar-843333
8. Mahboob Alam Khan Son Of Late Abdul Malik Khan R/O-Rasulganj @ Koily P.S.-NANPUR, Distt.-SITAMARHI, Bihar-843333
9. Md. Mansoor Alam Khan @ Mansoor Khan Son Of Late Abdul Malik Khan R/O-Rasulganj @ Koily P.S.-NANPUR, Distt.-SITAMARHI, Bihar-843333
10. Md. Masood Alam Khan @ Masood Khan Son Of Late Abdul Malik Khan R/O-Rasulganj @ Koily P.S.-NANPUR, Distt.-SITAMARHI, Bihar-843333
11. Maksood Alam Khan @ Maksood Khan Son Of Late Abdul Malik Khan R/O-Rasulganj @ Koily P.S.-NANPUR, Distt.-SITAMARHI, Bihar-843333
12. Md. Chand Khan Son Of Safi Ahmad Khan R/O-Rasulganj @ Koily P.S.-NANPUR, Distt.-SITAMARHI, Bihar-843333
13. Mohsin Khan Son Of Mahboob Khan R/O-Rasulganj @ Koily P.S.-NANPUR, Distt.-SITAMARHI, Bihar-843333
14. Kashif Khan @ Ashif Khan Son Of Maksood Khan R/O-Rasulganj @ Koily P.S.-NANPUR, Distt.-SITAMARHI, Bihar-843333
15. Md. Halim Khan Son Of Late Nasir Khan R/O-Rasulganj @ Koily P.S.-NANPUR, Distt.-SITAMARHI, Bihar-843333

... .. Petitioner/s

Versus

THE STATE OF BIHAR



... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Noushad Khan
For the State : Mr. Anil Prasad Singh
For the Informant : Mr. Ashish Kumar Ranjan
Mr. Vikash Kumar Jha

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 12-09-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State assisted by learned counsel for the
informant.

2. The petitioners apprehend their arrest in a case
registered for the offences punishable under Sections 341, 323,
324, 326, 307, 379, 34 of the Indian Penal Code.

3. As per the prosecution case, allegation against
the petitioners is of assaulting the informant and his family
members by means of various weapons.

4. Learned counsel for the petitioners submits that
petitioners are innocent and have been falsely implicated in this
case. The allegation levelled against the petitioners is not
specific rather general and omnibus in nature. He submits that
there is admitted land dispute between the parties. He further
submits that there is case and counter case between the parties
and both sides have sustained grievous injuries. Petitioners no.
1, 6 and 9 have two criminal antecedents and petitioners no. 2,
3, 4, 5, 7 & 15 have one criminal antecedent and petitioners no.



8, 10, 11, 12, 13, and 14 have no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State and learned counsel for the informant opposed prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case and the fact that there is case and counter case between the parties and 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 lower Court where the case is pending/successor Court in connection with Nanpur P.S. Case No.20 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

anand/-

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