

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52896 of 2022

Arising Out of PS. Case No.-113 Year-2022 Thana- RANIGANJ District- Araria

1. NAEEM S/O LATE NOOR MOHAMMAD Resident of village- Jagta Kharsahi Tola Palar, Ward No- 10, P.S.- Raniganj, District- Araria.
2. BHOSI @ MOSIM @ MOSI S/O LATE NOOR MOHAMMAD Resident of village- Jagta Kharsahi Tola Palar, Ward No- 10, P.S.- Raniganj, District- Araria.
3. NASIM S/O LATE NOOR MOHAMMAD Resident of village- Jagta Kharsahi Tola Palar, Ward No- 10, P.S.- Raniganj, District- Araria.
4. AJMAL @ MD. AJMAL @ AJMAT S/O AKBAR Resident of village- Jagta Kharsahi Tola Palar, Ward No- 10, P.S.- Raniganj, District- Araria.
5. AMIN S/O LATE BHOLA SAH Resident of village- Jagta Kharsahi Tola Palar, Ward No- 10, P.S.- Raniganj, District- Araria.
6. MURTUZA @ MD. MURTUZA @ MURNUZA S/O AMIN Resident of village- Jagta Kharsahi Tola Palar, Ward No- 10, P.S.- Raniganj, District- Araria.
7. NASUL @ SAMSUL S/O ABUL Resident of village- Jagta Kharsahi Tola Palar, Ward No- 10, P.S.- Raniganj, District- Araria.
8. SADDAM @ SADAM S/O ABUL Resident of village- Jagta Kharsahi Tola Palar, Ward No- 10, P.S.- Raniganj, District- Araria.
9. IBRAM @ MD. IMRAN S/O ABUL Resident of village- Jagta Kharsahi Tola Palar, Ward No- 10, P.S.- Raniganj, District- Araria.
10. NASBUL @ NAJBUL S/O ABUL Resident of village- Jagta Kharsahi Tola Palar, Ward No- 10, P.S.- Raniganj, District- Araria.
11. URFAN S/O JAMAL Resident of village- Jagta Kharsahi Tola Palar, Ward No- 10, P.S.- Raniganj, District- Araria.
12. RAHMAN @ MD. RAHMAN S/O MUNUR Resident of village- Jagta Kharsahi Tola Palar, Ward No- 10, P.S.- Raniganj, District- Araria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nafisuzzoha, Adv.
For the Opposite Party/s: Mr.Sanjay Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 09-01-2023 Heard the parties.

Today, a supplementary affidavit has been filed in the Court.

Let it be kept on record.



Learned counsel for the petitioners is directed to remove defects, as pointed out by the office, within four weeks.

Learned counsel for the petitioners, on instructions of his client, does want to press this application against petitioner no.1.

Permission is granted.

Accordingly, this application is dismissed as not pressed.

Now this application survives for petitioner nos. 2 to 12.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 447, 341, 323, 342, 324, 436, 427, 307, 506, 504/34 of the Indian Penal Code.

The prosecution story is that all the petitioners having prior enemical term with informant for construction of toilet, have assaulted the informant and his family members brutally.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent persons and have committed no offence. They have been falsely implicated in this case due to ulterior motive. No such occurrence as alleged ever took place. The entire prosecution story is false, fabricated and concocted. There is land dispute between the parties. There is case and counter case between the parties. The wife of petitioner No.1 lodged Raniganj P.S. Case No. 115/2022 against the present informant and his family members. No specific overt act has been attributed against the petitioners. It is further submitted that the informant was examined by the Doctor and the doctor has found multiple injury out of which one injury is



grievous in nature. There is general and omnibus allegation against the petitioners. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, since there is delay in filing of FIR, 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 Raniganj P.S. Case No. 113 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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