

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57490 of 2023

Arising Out of PS. Case No.-68 Year-2023 Thana- HASANGANJ District- Katihar

1. Md.Inzamam Son of Md. Aslam Resident of Village- Hasanganj, Ps-Hasanganj, Distt- Hasanganj
2. Md. Firdosh Son of Md. Babar Resident of Village- Hasanganj, Ps-Hasanganj, Distt- Hasanganj
3. Md. Aslam Son of Late Amanullah Resident of Village- Hasanganj, Ps-Hasanganj, Distt- Hasanganj

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Advocate
For the Opposite Party/s : Mr. Lalan Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 30-08-2023 Heard Mr. Sanjeev Kumar Singh, learned counsel appearing on behalf of the petitioners and Mr. Lalan Kumar, learned A.P.P appearing on behalf of the State.

2. The petitioners apprehend their arrest in connection with Hasanganj P.S. Case No. 68 of 2023 registered under Sections 341, 323, 307, 354, 504, 506 and 34 of the Indian Penal Code.

3. As per the allegation made in the FIR, accused persons named in the FIR including the petitioners had assaulted the informant on her head by means of sharp cutting weapon and had also tried to outrage the modesty of the younger sister



of the informant.

4. Learned counsel appearing on behalf of the petitioners submits that petitioners are innocent and have falsely been implicated in the present case. There is general and omnibus allegation has been levelled against the petitioners. There is case and counter case between the parties due to land dispute. Main allegation is against Md. Nadim, who had assaulted the informant. Petitioners have clean antecedent. On these grounds, petitioners seek to be released on pre-arrest bail.

5. Learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioners.

6. Considering the rival submissions made on behalf of the petitioner as well as fact that there is general and omnibus allegation against the petitioners. There is case and counter case between the parties due to land dispute. Petitioners have clean antecedent. I am of the opinion that petitioners have, *prima facie*, made out a case to be released on pre-arrest bail.

7. Learned Court below is directed to release the petitioners, above named, on pre-arrest bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs.



25,000/- (Twenty Five Thousand) with two sureties of the like amount each, to the satisfaction of learned C.J.M., Katihar in connection with Hasanganj P.S. Case No. 68 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

Niraj/-
Nilmani/-

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