

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58210 of 2022

Arising Out of PS. Case No.-51 Year-2022 Thana- ALINAGAR District- Darbhanga

1. MD BASHIR @ BASHIRUDDIN Son of Md. Rafique Residents of village- Imamganj, Police Station- Alinagar in the District of - Darbhanga
2. Md. Shahnawaz @ Md. Shahnawaz Dilkhush Son of Md. Bashir @ Md. Bashiruddin Resident of village- Imamganj, Police Station- Alinagar in the district of - Darbhanga
3. Md. Ajad @ Md. Farhan Son of Md. Bashir @ Md. Bashiruddin Resident of village- Imamganj, Police Station- Alinagar in the district of - Darbhanga
4. Md. Saban @ Md. Rumman Ahmad Son of Md. Bashir @ Md. Bashiruddin Resident of village- Imamganj, Police Station- Alinagar in the district of - Darbhanga
5. Md. Imdad Son of Md. Lal @ Md. Haleem Resident of village- Imamganj, Police Station- Alinagar in the district of - Darbhanga

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar

For the Opposite Party/s : Mr. Ram Sumiran Rai

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 03-01-2023 Heard the parties.

Learned counsel for the petitioners seek permission to withdraw this application as against the petitioner no.5, as he has already been apprehended by the police during the pendency of the bail application.

Permission is granted.

Accordingly, the bail application as against petitioner no.5 is dismissed as withdrawn.



Now, this application is being heard with regard to the rest of the petitioners.

The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 147, 148, 149, 323, 337, 338, 324, 325, 307, 427, 447, 379, 188, 504 of the Indian Penal Code.

The allegation against the petitioners is that they along-with other co-accused persons assaulted the informant and his family members by means of several weapons due to which they sustained injuries.

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. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is a case and counter-case between the parties and both sides have sustained injuries. The injuries are simple in nature. There is an admitted land dispute between the parties. Petitioners have no criminal antecedent.

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

Having regard to the facts and circumstances of the case,



let the above named petitioner nos.1, 2, 3 and 4, 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 Alinagar P.S. Case No.51 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Accordingly, this application is partly allowed.

(Anjani Kumar Sharan, J)

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