

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65699 of 2022

Arising Out of PS. Case No.-104 Year-2022 Thana- JALALGARH District- Purnia

1. MD. ALAM @ ALAM Son of Late Sagiruddin @ Md. Sagiruddin R/v- Bakara Ward No. 6, P.S.- Jalalgarh, District- Purnea
2. MD. RAFIK @ RAFIK Son of Late Sagiruddin @ Md. Sagiruddin R/v- Bakara Ward No. 6, P.S.- Jalalgarh, District- Purnea
3. MD. SALIM Son of Haji Safik R/v- Bakara Ward No. 6, P.S.- Jalalgarh, District- Purnea
4. MD. MOSBBIR Son of Haji Safik R/v- Bakara Ward No. 6, P.S.- Jalalgarh, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Adv
		Mr. Dr. Bidhu Ranjan
For the Opposite Party/s	:	Mr. Nawal Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-01-2023 Heard learned senior counsel for the petitioners as well as learned APP for the State.

The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 341, 323, 427, 436, 504, 506/34 of the Indian Penal Code.

Allegedly, on the pretext of land dispute, the petitioners alongwith other co-accused persons abused and assaulted the informant's side by means of several weapons due to which they sustained injuries.

It is submitted by learned senior counsel for the



petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case due to dirty village politics and enmity. 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. He submits that the occurrence took place on 03.06.2022 but the FIR was lodged on 12.06.2022 i.e. after a delay of 9 days, without giving any satisfactory explanation regarding the said delay, which creates a serious doubt over the genuineness of the prosecution story. Petitioners have no criminal antecedent, as also mentioned in para-3 of the bail application.

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

Having regard to the facts and circumstances of the case, as there is a delay in lodging the 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



Jalalgarh P.S. Case No.104 of 2022, subject to the conditions as
laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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