

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69746 of 2022

Arising Out of PS. Case No.-40 Year-2022 Thana- BHAPTIAHI District- Supaul

1. Alauddin Shah Son Of Late Sukaj Saha R/O Village- Shahpur Pirthipatti Tola, Navipur Ward No- 03, P.S.- Bhaptiyahi, District- Supaul
2. Md. Fulaman Shah Son Of Late Md. Sukaj Sah R/O Village- Shahpur Pirthipatti Tola, Navipur Ward No- 03, P.S.- Bhaptiyahi, District- Supaul
3. Munna Sah Son Of Allauddin Shah R/O Village- Shahpur Pirthipatti Tola, Navipur Ward No- 03, P.S.- Bhaptiyahi, District- Supaul
4. Mohammad Nasir Son Of Mohammad Sadre Alam R/O Village- Shahpur Ward No- 02, Shahpur Pirthipatti, P.S.- Bhaptiyahi, District- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Neerad Parashar

For the Opposite Party/s : Mr. Arun Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 29-03-2023 Heard learned counsel for the petitioners and learned
APP for the State.

Learned counsel for the petitioners seeks permission
to withdraw this application as against the petitioner no.4 as he
has already been arrested by the police, during pendency of this
application.

Permission is granted.

Accordingly, the instant application as against the
petitioner no.4 is dismissed as withdrawn.

Now, this application is being heard for



consideration of anticipatory bail as against the petitioner no.1, 2 & 3 only.

Heard learned counsel for the rest of the petitioners and learned APP for the State.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 147, 148, 149, 341, 323, 324 and 307 of the Indian Penal Code pending in the learned court below.

Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He further submits that there is allegation against the petitioner no.1 that he is an order given and petitioner no.2 has snatched Rs.15,000/- from the box of the house of the informant and petitioner no.3 snatched nose pin of the family member of the informant. He submits that there is case and counter case between the parties and both sides have sustained injuries. He further submits that there is admitted land dispute between the parties. He further submits that petitioners have got no criminal antecedent as stated in para-3 of the bail application.

Learned APP for the State opposes for prayer for bail.

Considering the aforesaid facts and circumstances, let the petitioners no.1, 2 & 3, named above, in the event of their



arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Bhaptiyahi P.S. Case No.40 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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