

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73212 of 2022

Arising Out of PS. Case No.-686 Year-2018 Thana- NARPATGANJ District- Araria

1. MD. NASIM Son of Late Shahabuddin Resident of Revahi, P.S.- Narpatganj, District - Araria
2. Md. Farooque Son of Late Nayeem Resident of Revahi, P.S.- Narpatganj, District - Araria.
3. Md. Farooque Son of Late Jalil Resident of Revahi, P.S.- Narpatganj, District - Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar Mandal, Adv.
For the Opposite Party/s : Mr.Akhileshwar Dayal, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 23-03-2023 Heard the parties.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 307, 147, 148, 149, 341, 323, 325, 324, 447, 379, 594 of the Indian Penal Code and Section 27 of the Arms Act.

Allegedly, after some altercation, petitioners, along with other co-accused persons are said to have assaulted the informant's side. Petitioner no.1 shot arrow which hit the right thigh of Md. Junaid whereas petitioner no.2 shot arrow which hit Md. Majid on his hand.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. No such occurrence as alleged ever took place. Both the parties are co-



villagers. Petitioners have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is admitted land dispute between the parties. Both sides have filed cases against each other. It is further submitted that the injury report of the injured persons does not support the prosecution case and the injuries sustained by the informant's side are simple in nature. 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, as the injuries are simple in nature, 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 lower Court where the case is pending/successor Court in connection with Narpatganj P.S. Case No. 686 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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