

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73416 of 2023

Arising Out of PS. Case No.-61 Year-2023 Thana- BISFI District- Madhubani

1. Md. Laddu, aged about 37 years, Male, Son Of Kalimullah, R/O Village- Balha, P.S.- Bisfi, Dist.- Madhubani.
2. Shaukat Ali @ Bhola, aged about 52 years, Male, Son Of Abdul Khalik, R/O Village- Balha, P.S.- Bisfi, Dist.- Madhubani.
3. Md. Mubarak, aged about 35 years, Male, Son Of Md. Lalbabu @ Md. Nazir, R/O Village- Balha, P.S.- Bisfi, Dist.- Madhubani.
4. Md. Tabarak, aged about 29 years, Male, Son Of Md. Lalbabu @ Md. Nazir, R/O Village- Balha, P.S.- Bisfi, Dist.- Madhubani.

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Ravi Ranjan, Advocate
For the Opposite Party : Mr. Sanjay Kumar Tiwary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 22-11-2023 Learned counsel for the petitioners is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

3. The petitioners are apprehending their arrest in connection with Bisfi P.S. Case No. 61/2023 dated 24.02.2023 registered for the offences punishable under Sections 307, 120B of the I.P.C. and Sections 25(1-b)a, 26, 27 and 35 of the Arms Act.



4. As per the prosecution case, on 24.02.2023 at about 11.00 A.M., the informant alongwith three persons was sitting in his courtyard of his house. In the meanwhile, one person having pistol in his hand came and fired upon him. The informant fell down and thereafter he entered the house of his uncle and raised alarm. One person accompanying the accused was on the Motorcycle. Thereafter, police reached at the place of occurrence and seized three empty cartridges.

5. Learned counsel for the petitioners has submitted that the petitioners are innocent and have been falsely implicated in this case. It is further submitted that the co-accused Md. Jiya and the informant are political opponent to each other and both had contested Panchayat Election in which the informant won the election and the petitioners are supporters and voters of the co-accused Md. Jiya due to that reason the petitioners have been falsely implicated in the present case by the informant. It is further submitted that the injury sustained by the informant was found to be simple in nature as he met with an accident on the Motorcycle. The other co-accused has been granted anticipatory bail by another Co-ordinate Bench of this Court vide Cr. Misc. No. 68542 of 2023 under order dated 19.10.2023. The petitioner nos. 1, 2 and 3 has one criminal



antecedent and the petitioner no. 4 has two criminal antecedents in which they are on bail as stated in paragraph no. 3 of the bail application.

6. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioners.

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Benipatti, Madhubani in connection with Bisfi P.S. Case No. 61/2023, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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