

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72074 of 2022

Arising Out of PS. Case No.-190 Year-2022 Thana- SINGHESHWAR District- Madhepura

1. MD. NEHAL S/o Late Md. Mosim R/o Village- Jhitkiya, Ward no.-04, P.S.- Singheshwar, Distt- Madhepura.
2. Md. Shajjad @ Md. Shahzad @ Md. Sahjad S/o Late Md. Mosim R/o Village- Jhitkiya, Ward no.-04, P.S.- Singheshwar, Distt- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rupesh Kumar, Adv.

For the Opposite Party/s : Mrs.Dr. Indihar Kumari, ApP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 02-02-2023 Heard the parties.

The petitioners apprehend their arrest in a case registered for the offence punishable u/s 147, 148, 149, 341, 323, 324, 307, 379, 504, 506 of the IPC.

As per the prosecution case, the F.I.R. named accused persons including the petitioners indiscriminately assaulted the informant's side.

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 due to land dispute. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioners is not



specific rather general and omnibus in nature. For the alleged occurrence, there is case and counter-case between the parties. The alleged occurrence took place on 13.08.2022 but the F.I.R. was lodged on 17.08.2022 i.e. after delay of four days without giving any plausible explanation, which itself creates doubt about the prosecution case. The petitioners' case is filed on 14.08.2022 i.e. earlier to that of the present case. Petitioners have no criminal antecedent.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the delay in lodging the F.I.R., 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 Singheshwar P.S. Case No.190/2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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