

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78154 of 2023

Arising Out of PS. Case No.-67 Year-2023 Thana- KAJRAILI District- Bhagalpur

1. Md. Murtaza Son of Md. Mohsin R/o Mohalla - Simariya, P.S. - Nathnagar, Distt. - Bhagalpur
2. Md. Yaseer Arfat @ Md. Arafat Son of Md. Murtaza R/o Mohalla - Simariya, P.S. - Nathnagar, Distt. - Bhagalpur
3. Md. Umar Alam @ Md. Umar Son of Md. Murtaza R/o Mohalla - Simariya, P.S. - Nathnagar, Distt. - Bhagalpur
4. Md. Yaseen Son of Md. Murtaza R/o Mohalla - Simariya, P.S. - Nathnagar, Distt. - Bhagalpur
5. Md. Mujaffar Son of Late Md. Mutahar R/o vill - Salempur, P.S. - Jagdishpur, Distt. - Bhagalpur
6. Md. Sahjada Son of Md. Muzaffar R/o vill - Salempur, P.S. - Jagdishpur, Distt. - Bhagalpur
7. Md. Riyaz @ Fizzo Son of Md. Zakir R/o vill - Chandrapur, P.S. - Sajour, Distt. - Bhagalpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Namrata Mishra, Adv.

For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 08-12-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 149, 341, 323, 324, 307, 504 and 506 of the Indian Penal Code.

3. As per the F.I.R., allegation against all the F.I.R. named persons have assaulted the informant and his uncle and cousin



by means of lathi, iron rod, sword, knife, farsa and country made pistol.

4. It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioners are quite innocent and have been falsely implicated in this case at the instance of enemy. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. It is further submitted that injury of the injured person has found simple in nature. It is admitted land dispute between the parties. It is case and counter case. He further submits that petitioner has also lodged a criminal case against the informant annexed with annexure-4 of the bail application. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes the prayer for bail of the petitioners.

6. Having regard to the facts and circumstances of the case, considering the argument between the parties and on perusal of the record injury is found simple in nature, let the above named petitioners, be released on bail, in the event of his 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 Kajraili P.S. Case No. 67 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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