

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3886 of 2023

Arising Out of PS. Case No.-198 Year-2022 Thana- GHANSHYAMPUR District- Darbhanga

1. MD. HASMAT Son of Late Md. Zalil Resident of village -Belwara, Police Station - Ghanshyampur, District - Darbhanga.
2. Md. Salamat Son of Md. Hasmat Resident of village - Belwara, Police Station - Ghanshyampur, District - Darbhanga.
3. Md. Nisamuddin Son of Md. Taslim Resident of village - Belwara, Police Station - Ghanshyampur, District - Darbhanga.
4. Md. Azim Son of Late Zalil Resident of village - Belwara, Police Station - Ghanshyampur, District - Darbhanga.
5. Md. Niyamat Son of Md. Hasmat Resident of village - Belwara, Police Station - Ghanshyampur, District - Darbhanga.
6. Md. Samim Son of Md. Nizamuddin Resident of village - Belwara, Police Station - Ghanshyampur, District - Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nilendu Kumar Choudhary
For the Opposite Party/s : Mr.Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 06-04-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 447, 341, 323, 324, 337, 325, 308, 354 and 379/34 of the Indian Penal Code pending in the learned court below.

All the accused persons are said to have assaulted the husband of the informant by means of fists, slaps and lathi.



Upon protest, they also assaulted the family members of the informant.

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 case and counter case between the parties and both sides have sustained injuries. He submits that the injuries found upon the victim are simple nature. He further submits that there is specific overt act against the co-accused Md. Amanat to assault the Md. Gulzar and injury was found upon the victim is grievous in nature. He 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, 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 Ghanshyampur P.S.



Case No.198/2022, subject to the condition as laid down under
Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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