

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5664 of 2023

Arising Out of PS. Case No.-163 Year-2022 Thana- LALIT NARAYAN UNIVERSITY
District- Darbhanga

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1. MD. RAKIBUL S/O MD. ANWARUL @ MD. ANBARUL Resident of village- Alafganj Bishanpur, P.S.- LNMU, District- Darbhanga.
 2. MD. SHAUKAT @ MD. SHOUKAT S/O LATE HARUN SHAIKH @ MD. HARUN Resident of village- Alafganj Bishanpur, P.S.- LNMU, District- Darbhanga.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Iqbal Asif Niazi, Adv,
For the Opposite Party/s	:	Mr.Nawal Kishore Prasad, APP
For the Informant	:	Mr.Vikas Kumar Jha, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 17-05-2023 Heard the parties.

Petitioners apprehend their arrest in a case registered for the offence punishable u/s 341, 323, 324, 307, 504/34 of IPC.

As per the prosecution case, the F.I.R. named accused persons including the petitioners armed with deadly weapons came and started damaging the house of one Lalbabu. When informant objected them, then Md. Kaish ordered to kill whereupon the co-accused persons assaulted the informant.

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 and both sides have sustained injuries, which was found simple in nature. Petitioner no.1 has two criminal antecedent and petitioner no.2 has one criminal antecedent.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, since 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 court below where the case is pending/Successor Court in connection with L.N.M.U. P.S. Case No.163 of 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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