

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4173 of 2024

Arising Out of PS. Case No.-387 Year-2020 Thana- NAUBATPUR District- Patna

1. Manauar @ Manauar Ali S/O Md. Sabir Ali @ Sabir Nat @ Sadir Ali R/O Village- Adampur Pipalwan, P.S- Naubatpur, Distt.- Patna.
2. Md. Sabir Ali @ Sabir Nat @ Sadir Ali S/O Md. Sarafat Ali @ Sarafat Nat @ Sarafat Paithan @ Md. Sarafat Pathan R/O Village- Adampur Pipalwan, P.S- Naubatpur, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Shanker Pankaj
For the Opposite Party/s : Mr. Mithlesh Kumar Khare, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 07-02-2024 Heard Mr. Ravi Shanker Pankaj, learned counsel appearing on behalf of the petitioners and learned Additional Public Prosecutor for the State.

2. The petitioners apprehend their arrest in connection with Naubatpur P.S. Case No. 387 of 2020, registered for the offences punishable under Sections 341, 323, 379, 504/34 of the Indian Penal Code.

3. Allegedly the petitioners assaulted the informant by means of iron rod and in the meantime when the daughter of the informant came to her rescue, she was beaten up with butt of the pistol by petitioner no. 2 due to which they sustained injury. Further allegation has also been levelled that accused persons



snatched the golden chain leading to the FIR.

4. It is submitted on behalf of the petitioners that both the parties are agnates and they are bickering over the land dispute resulting into quarrel and thus the present FIR. He further submits that in fact the present case has been instituted only to put pressure on the petitioners as earlier the mother of the petitioner no. 1 had filed complaint case against the informant and her family members vide Complaint Case No. 1602(C)/2019, which is pending before the competent court, wherein cognizance has been taken. He next submits that even as per the narration made in the FIR, it is evident that only on account of trifle, this occurrence took place and there is no injury report showing that any person has sustained any injury. He next submits that the petitioners are though accused in one another case, beside the present one, they are on bail in the said case as has been mentioned in paragraph no. 3 of the application. He lastly submits that the petitioners undertake that they will fully cooperate in the investigation or in the proceeding of the court.

5. On the other hand, learned counsel for the State opposes the bail application.

6. Regard being had to the submissions made on



behalf of the parties and considering the nature of allegation and the fact that prior to institution of this case, there is a complaint lodged by the mother of petitioner no.1, let the petitioners abovenamed be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned ACJM-III, Danapur, Patna in connection with Naubatpur P.S. Case No. 387 of 2020, subject to the conditions laid down in Section 438(2) Cr.P.C. with the further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

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