

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19125 of 2024

Arising Out of PS. Case No.-1120 Year-2023 Thana- KHAJANCHI HAT District- Purnia

1. Md Mohril @ Mohril Son of late S.K. nasir Resident of Lalganj, Miliki, Kadam toil, P.S.-K. Hat (Maranga), Distt.-Purnea
2. Ajad Alam @ Ajad Son of Md. Mohril @ Mohril Resident of Lalganj, Miliki, Kadam toil, P.S.-K. Hat (Maranga), Distt.-Purnea
3. Banu Begum @ Banu Wife of Ajad @ Ajad Alam Resident of Lalganj, Miliki, Kadam toil, P.S.-K. Hat (Maranga), Distt.-Purnea
4. Md. Sajjad Alam @ Sajjad Son of Md. Mohril @ Mohril Resident of Lalganj, Miliki, Kadam toil, P.S.-K. Hat (Maranga), Distt.-Purnea
5. Nargis Khatoon @ Khusboo Wife of Md. Sajjad Alam @ Sajjad Resident of Lalganj, Miliki, Kadam toil, P.S.-K. Hat (Maranga), Distt.-Purnea
6. Bibi Najola Khatoon @ Najola Khatoon Resident of Lalganj, Miliki, Kadam toil, P.S.-K. Hat (Maranga), Distt.-Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijendra Kumar Singh, Adv.
For the Opposite Party/s : Mr. Narsingh Tanti, Adv.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 28-03-2024 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with K. Hat P.S. Case No. 1120 of 2023 instituted under Sections 147, 148, 149, 341, 323, 384, 354, 379, 307, 427, 504, 506 of the Indian Penal Code.

3. As per the prosecution case, the informant along with her husband reached her son-in-law's house to see the sick



maternal grandson then all the FIR named accused persons including the petitioners and 25-30 unknown persons with common intention came there armed with *kudal*, *Khanti*, *Dabia*, iron rod etc. with the intention to kill them and gave iron rod blow on informant's head due to which she sustained head injury. Accused persons also snatched jewellery and cash of Rs. 20,000/- from her and her husband.

4. Learned counsel for the petitioners submits that petitioners are innocent and have falsely been implicated in this case due to land dispute between the parties. There is case and counter case for the same occurrence. The petitioners have two criminal antecedent out of which one is filed by the informant. He further submits that there is general and omnibus allegation and the case has been filed against the 25 accused persons and for the same occurrence, the son-in-law of the informant has also filed the case against the 16 accused persons. The informant side are the aggressor. Learned counsel for the petitioner also submits that the injury on the injured has been kept reserved due to non-submission of the NCCT report and plates. Petitioners undertake to cooperate in the investigation and trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.



6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount to each to the satisfaction of the learned C.J.M., Purnea in connection with K. Hat P.S. Case No. 1120 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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