

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16610 of 2024

Arising Out of PS. Case No.-45 Year-2023 Thana- ALINAGAR District- Darbhanga

1. Md Jubair @ Md Jubar Alam @ Naklu Jubair S/O Inush @ Yunus R/O Village- Dhamsain, P.S- Alingar, Distt.- Darbhanga.
2. Md Anjr @ Mohammad Anjar Alam @ Md Anjr Alam S/O Md Jubair @ Md Jubar Alam @ Naklu @ Jubair R/O Village- Dhamsain, P.S- Alingar, Distt.- Darbhanga.
3. Athar Hussain @ Md Athar Hussain @ Md Asahar Hussain S/O Md Jubair @ Md Jubar Alam @ Naklu @ Jubair @ Mohammad Jubair Alam R/O Village- Dhamsain, P.S- Alingar, Distt.- Darbhanga.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kedar Jha, Advocate

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 14-03-2024 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Alinagar P.S. Case No. 45 of 2023 for the offence punishable u/s 147, 149, 341, 323, 324, 325, 308, 354, 504 and 506 of the Indian Penal Code.

3. As per the prosecution case, the petitioners and other accused persons in the backdrop of previous land dispute, surrounded the informant and assaulted him with iron rod, lathi, and danda causing fracture of his head. When the family members of the informant tried to save him they were also assaulted



causing a number of injuries to them.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case as for the same occurrence petitioner No. 3 lodged Alinagar P.S. Case No. 44 of 2023 prior to lodging of the instant FIR by the informant. Background of land dispute is admitted and the informant side is aggressor. There is general and omnibus allegation against the petitioners. Injury report as mentioned in the rejection order shows simple injuries on the victim. Moreover, the injuries are only pain and swelling. The petitioners are having clean antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case and considering the case and counter case between the parties and further considering the superficial nature of injuries and possibility of false implication, let the petitioners above named, in the event of their arrest/surrender within a period of eight weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) each with two sureties of the like amount each to the satisfaction of the learned Court concerned, Darbhanga in connection with



Alinagar P.S. Case No. 45 of 2023, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Arun Kumar Jha, J)

Prakash/-

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