

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19905 of 2023

Arising Out of PS. Case No.-221 Year-2022 Thana- ADAPUR District- East Champaran

1. SHEIKH JANE ALAM S/O LATE ABDUL GANI Resident of Village- Kalwari Majhariya, P.S.- Adapur, District - East Champaran.
2. MD. FAROOQUE ALAM @ MAROOF ALAM S/O SHIEKH JANE ALAM @ JANE ALAM Resident of Village- Kalwari Majhariya, P.S.- Adapur, District - East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Shakil Ahmad Khan, Advocate
For the Opposite Party/s	:	Mr. Bhanu Pratap Singh, A.P.P.
For the Informant	:	Mr. Shivendra Prasad, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 10-04-2024 Heard learned counsel for the petitioners, State and informant.

2. The petitioners apprehend their arrest in a case registered for the offence under Sections 341, 323, 324, 307, 354, 504/34 of the Indian Penal Code.

3. It is alleged that on account of land dispute between the parties, the accused persons including these petitioners came and assaulted the informant and his family members, due to which, they sustained injuries.

4. It is submitted on behalf of petitioners that due to admitted land dispute between the parties, earlier, the informant's side assaulted the family members of petitioners, for



which, co-accused Md. Maroof lodged a case, *vide* Adapur P.S. Case No. 217 of 2022, and the present case is counter blast of the said case only to put pressure on petitioners' side. Both parties are next door neighbours. Injury attributed to the petitioner No. 1 has been found to be simple in nature and there is no allegation of any assault against petitioner No. 2. Petitioners have got clean antecedent.

5. However, learned counsel for the informant vehemently opposes the bail petition and submits that petitioners have managed the police and tried to make the case of simple injury, whereas, the informant has received grievous injury.

6. Considering the nature of accusation and the backdrop, in which, alleged occurrence took place between the parties coupled with the fact that petitioners have got clean antecedent, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, East Champaran at Motihari in connection with Adapur P.S. Case No. 221 of 2022, subject to condition as laid down under Section 438(2) of the



Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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