

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20975 of 2024

Arising Out of PS. Case No.-211 Year-2023 Thana- LALIT NARAYAN UNIVERSITY
District- Darbhanga

-
1. Md Gulab @ Gulab Ahmad Son of Late Nesar Ahmad @ Late Nisar Ahmad @ Late Nijar Ahmad R/o Village- Kadirabad @ Kaidarabad, Ward No.-12, P.S.- L.N.M.U., Dist.- Darbhanga
 2. Zafir Ahmad @ Jafir Ahmad Son of Late Nesar Ahmad @ Late Nisar Ahmad @ Late Nijar Ahmad R/o Village- Kadirabad @ Kaidarabad, Ward No.-12, P.S.- L.N.M.U., Dist.- Darbhanga
 3. Saquib Zainullah @ Mohammad Sakib Jainullah @ Sakib Jainula @ Md. Sakib Jainullah Son of Md. Gulab @ Mohammad Gulab R/o Village- Kadirabad @ Kaidarabad, Ward No.-12, P.S.- L.N.M.U., Dist.- Darbhanga
 4. Mosarat Khatoon @ Mosarat Khatun Son of Md. Gulab R/o Village- Kadirabad @ Kaidarabad, Ward No.-12, P.S.- L.N.M.U., Dist.- Darbhanga
 5. Rashida Khatoon @ Rasida Khatoon W/o Md. Nasim @ Mohammad Naseem R/o Village- Kadirabad @ Kaidarabad, Ward No.-12, P.S.- L.N.M.U., Dist.- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Santosh Kumar, Advocate
For the State	:	Mr. Atul Chandra, APP
For the Informant	:	Mr. Baleshwar Kamat, Advocate
	:	Mr. Arun Kumar Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 04-04-2024 Heard Mr. Santosh Kumar, learned counsel for the petitioners, Mr. Atul Chandra, learned Additional Public Prosecutor for the State and Mr. Baleshwar Kamat, learned counsel appearing on behalf of the informant.

2. The petitioners are apprehending their arrest in connection with L.N.M.U. P.S. Case No. 211 of 2023, F.I.R. dated 18.07.2023 for the offences punishable under Sections



341, 323, 307, 325, 504, 506 and 34 of the Indian Penal Code.

3. According to prosecution case, petitioners along with others with intention to grab the land of the informant assaulted the informant and his family members.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. He further submits that the allegation as alleged is false and fabricated and the petitioners have not committed any offence as alleged in the FIR. He further submits that it appears from the FIR that there is no specific allegation of any assault or overt act rather general and omnibus allegation against all the accused persons including these petitioners. He further submits that there is case and counter case between the parties.

5. Learned counsel for the informant as well as learned Additional Public Prosecutor for the State, on the other hand, have vehemently opposed the prayer for bail of the petitioners and submits that some of the persons have received the injury which are grievous in nature but fairly submits that there is no specific allegation is against these petitioners.

6. Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest or



surrender before the court below within a period of thirty days from the date of receipt of the order, be released 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 the learned Chief Judicial Magistrate, Darbhanga in connection with L.N.M.U. P.S. Case No. 211 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

i. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bonds of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order



shall not be delayed for purpose of or in the name of
verification.

(Rajesh Kumar Verma, J)

ajay/-

U		T	
---	--	---	--

