

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26751 of 2024

Arising Out of PS. Case No.-367 Year-2022 Thana- NARPATGANJ District- Araria

1. Md. Isha @ Isha Son of Amrit Miyan R/o Village- Ghurna ward no.11, P.S.- Narpatganj (Gurna), District- Araria
2. Rahina @ Shakila Khatoon Wife of Firoz R/o Village- Ghurna ward no.11, P.S.- Narpatganj (Gurna), District- Araria
3. Tabarunisha @ Tabasu Nishan Wife of Jahur R/o Village- Ghurna ward no.11, P.S.- Narpatganj (Gurna), District- Araria
4. Nasimuddin @ Md. Nasimuddin Son of Fakhruddin R/o Village- Ghurna ward no.11, P.S.- Narpatganj (Gurna), District- Araria

... .. Petitioner/s

Versus

THE STATE OF BIHAR PATNA BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana
For the Opposite Party/s : Mr. Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 01-05-2024 Heard learned counsel for the petitioners as well as
learned APP for the State.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 341, 323, 332, 353/34 of the IPC and Section 7 of E.C. Act.

3. As per the prosecution case, the petitioners and other co-accused persons are said to have been involved in illegal transportation of fertilizers from Indian Territory to Nepal and when the S.S.B. police including the informant intercepted them, the petitioners and others caused hindrance in discharge



of official duty and also applied criminal force against the members of patrolling team.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is no specific overt act against the petitioners. He further submits that one person was apprehended on the spot and he disclosed the name of the petitioners. Petitioners have no criminal antecedent, which is also mentioned in para-3 of the bail application.

5. Learned APP for the State opposed the prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case as there is no specific overt act against the petitioners, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) **each** with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in



connection with Narpatganj (Ghurna) P.S. Case No.367 of 2022,
subject to the conditions as laid down under Section 438(2) of
the Cr.P.C.

(Anjani Kumar Sharan, J)

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