

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26821 of 2024

Arising Out of PS. Case No.-157 Year-2023 Thana- MAHESHKHUNT District- Khagaria

1. Sarif Uddin S/o Ajir Uddin, Resident of Village- Leva, P.S -Maheshkhunt, District- Khagaria.
2. Hasib Uddin S/o Ajir Uddin, Resident of Village- Leva, P.S -Maheshkhunt, District- Khagaria.
3. Vasim Uddin S/o Ajir Uddin, Resident of Village- Leva, P.S -Maheshkhunt, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar Singh, Advocate.
For the Opposite Party/s : Mr. Kumar Veerendra Narayan, APP.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 01-05-2024 Learned counsel for the petitioners submits that petitioner no.3, namely, Vasim Uddin has already been arrested, therefore, he seeks permission to withdraw the present Cr. Misc. Application for the petitioner no.3.

2. Permission granted.

3. Accordingly, the present Cr. Misc. Application is dismissed as withdrawn for petitioner no.3.

4. Heard learned counsel for the petitioner nos.1 & 2 and learned A.P.P. for the State.

5. The petitioner nos.1 & 2 apprehend their arrest in connection with Maheshkhunt P.S. Case No.157 of 2023



instituted under Sections 341, 323, 307, 354, 504, 506/34 of the Indian Penal Code.

6. As per the prosecution case, the accused persons including the petitioner nos.1 & 2 surrounded the informant while he was returning after offering Nawaz and they assaulted him with *danda* causing grievous injury to him. He also alleged that when the brother of informant Suleman Uddin tried to save him he was also assaulted by the accused persons.

7. Learned counsel for the petitioner nos.1 & 2 submits that petitioner nos.1 & 2 are innocent and have been falsely implicated in this case. He further submits that the informant's side and petitioners' side are own *gotiya* and a land dispute is going on between the parties. Learned counsel submits that there is case and counter case between them and there is general and omnibus allegation against the petitioner nos.1 & 2. He further submits that petitioner nos.1 & 2 have no criminal antecedent.

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

9. 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 petitioner nos.1 & 2 be released on bail upon furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount to each to the satisfaction of the learned C.J.M., Khagaria in connection with Maheshkhunt P.S. Case No.157 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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