

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30588 of 2024

Arising Out of PS. Case No.-166 Year-2023 Thana- BHARGAMA District- Araria

- 1. Sabir Son of Late Hasiruddin Resident of Village- Akarthapa Bishariya Ward No. 7, P.S.- Bhargama, Dist.- Araria
- 2. Mister Son of Late Sahadat Resident of Village- Akarthapa Bishariya Ward No. 7, P.S.- Bhargama, Dist.- Araria
- 3. Abdullah son of Late Bakaridd Resident of Village- Akarthapa Bishariya Ward No. 7, P.S.- Bhargama, Dist.- Araria
- 4. Jabir Son of Late Hasiruddin Resident of Village- Akarthapa Bishariya Ward No. 7, P.S.- Bhargama, Dist.- Araria
- 5. Masid Son of Late Kamarul Resident of Village- Akarthapa Bishariya Ward No. 7, P.S.- Bhargama, Dist.- Araria
- 6. Babul Son of Late Bakaridd Resident of Village- Akarthapa Bishariya Ward No. 7, P.S.- Bhargama, Dist.- Araria
- 7. Bakib Son of Sabir Resident of Village- Akarthapa Bishariya Ward No. 7, P.S.- Bhargama, Dist.- Araria
- 8. Kashif Son of Kadir Resident of Village- Akarthapa Bishariya Ward No. 7, P.S.- Bhargama, Dist.- Araria
- 9. Afzal Son of Jabir Resident of Village- Akarthapa Bishariya Ward No. 7, P.S.- Bhargama, Dist.- Araria
- 10. Mazhar Son of Late Hadish Resident of Village- Akarthapa Bishariya Ward No. 7, P.S.- Bhargama, Dist.- Araria
- 11. Abdul Rahman @ Laloo son of Late Shahadat Resident of Village- Akarthapa Bishariya Ward No. 7, P.S.- Bhargama, Dist.- Araria
- 12. Imteyaz Son of Late Hadish Resident of Village- Akarthapa Bishariya Ward No. 7, P.S.- Bhargama, Dist.- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Vaishnavi Singh, Adv.
For the State : Mr.Chandra Bhushan Prasad, APP
For the Informant : Mr.Anisur Rahman, Adv.

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA

ORAL ORDER

3 25-06-2024 Heard learned counsel for the petitioners, informant



and learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Bhargama P.S. Case No. 166 of 2023 instituted for the offences under Sections 147, 148, 149, 341, 323, 324, 307, 504, 506 of the of the Indian Penal Code and Section 27 of the Arms Act.

3. The allegation against the petitioners along with others is of assaulting the informant and his family members due to which they sustained injury.

4. Learned counsel appearing on behalf of the petitioners have submitted that petitioners are innocent and have committed no offence. There is admitted land dispute between the parties and there is also a case and counter case between them. There is no specific overt act against these petitioners rather the specific allegation of firing is against co-accused Shamsheer. No incriminating article has been recovered from the conscious possession of the petitioners. The other co-accused has already been granted regular bail by this Court vide order dated 05.04.2024 passed in Cr. Misc. No. 26046 of 2024. It is next submitted that the petitioners have got no criminal antecedent.

5. Learned A.P.P. for the State and learned counsel for



the informant have vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/surrender before the learned Court below within a period of six weeks from today, be released on anticipatory 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 Court below/concerned Court in connection with Bhargama P.S. Case No. 166 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Rudra Prakash Mishra, J)

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