

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28531 of 2024

Arising Out of PS. Case No.-319 Year-2023 Thana- MADHEPURA District- Madhepura

Md. Jabbar SON OF Kutub Ali Mian @ Md. Noor Alam RESIDENT OF
VILLAGE- BHIRKHI, WARD NO. 06, PS- MADHEPURA, DIST-
MADHEPURA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nafisuzzoha

For the Opposite Party/s : Mr. Tarun Prasad Mandal

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 19-07-2024 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 147, 148,
149, 341, 323, 324, 325, 307, 379, 504 and 506 of the Indian
Penal Code.

3. Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent.

4. The informant alleges that Md. Jamshed assaulted
with rod causing injury on his head, thereafter Md. Israfil
assaulted with knife causing injury on his left hand and
thereafter Md. Aashique assaulted his son with rod causing
fracture of left hand, it is next alleged that Md. Rustam,



Mushtaque, Md. Jakir, Md. Shamsheer and Md. Suleman assaulted Raushan and Dinesh with kick and fist and accused persons also snatched Rs. 8,000/- from his pocket and the cause of occurrence is land dispute.

5. Learned counsel for the petitioner submits that from bare perusal of the allegation as alleged in the F.I.R., it would manifest that no specific allegation of assault is alleged against the petitioner. It is also submitted that specific allegation of assaulting the informant and his son is against Md. Jamshed, Israfil and Md. Aashique. It is also submitted that similarly situated co-accused Sadre Alam along with four others had moved this Court seeking anticipatory bail by filing Criminal Miscellaneous No. 42836 of 2023 and the same was allowed by an order dated 11.08.2023.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

7. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount



each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Madhepura P.S. Case No. 319 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

8. Accordingly, the instant anticipatory bail application stands allowed.

(Satyavrat Verma, J)

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