

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30200 of 2024

Arising Out of PS. Case No.-178 Year-2022 Thana- BAHADURGANJ District- Kishanganj

1. Amjad @ Md. Shamim Alam Son Of Basir Nat Resident Of Kachalu Tola,
P.O. - Bishanpur, Police Station - Bahadurganj, District - Kishanganj
2. Md. Aslam Son Of Md. Khalid @ Khalid Resident Of Village -
Mahadevdighi, Ward No. 09, P.O. - Bishanpur, Police Station - Bahadurganj,
District - Kishanganj

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Pravesh Nath Tiwari, Advocate
For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 21-05-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with
Bahadurganj P.S. Case No. 178 of 2022 dated 12.06.2022
instituted for the offence punishable under Sections 147, 149,
341, 323, 324, 307, 354, 379, 504, 506 of the Indian Penal
Code.

3. The allegation against the petitioners and other
accused persons are that they, for taking revenge from the
informant with regard to previous dispute, assaulted him by
knife, sword, iron rod and lathi. It is alleged that petitioner no. 2
assaulted the informant in his stomach by means of knife.



Petitioner no. 1 assaulted the brother-in-law of the informant on his head by lathi.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. Learned counsel for the petitioners submits that the informant and the petitioners are neighbours and the dispute arose upon throwing garbage by co-accused Saif Ali on the land of his maternal father-in-law and due to land dispute, the present F.I.R has been lodged. It is further submitted that there is case and counter case lodged by the mother of the co-accused, namely, Saif Ali. Learned counsel for the petitioners submits that the specific allegation is against Saif Ali. Allegation leveled against the petitioners is general and omnibus in nature. Learned counsel for the petitioners submits that co-accused Saif Ali upon whom there is allegation of assaulting on the head of Tabrez Alam, has been granted regular bail vide order dated 30.06.2022 passed by learned Chief Judicial Magistrate, Kishanganj. Lastly, it has been submitted that petitioners have one criminal case against them.

5. Learned A.P.P. has opposed the prayer for anticipatory bail of the petitioners.

6. Having considered the facts and circumstances of



the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioners within a period of six weeks from today, in connection with Bahadurganj P.S. Case No. 178 of 2022, they will be released on bail upon 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, Kishanganj subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

premchand/-

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

