

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31210 of 2024

Arising Out of PS. Case No.-303 Year-2023 Thana- BAHERA District- Darbhanga

1. Md Akbar @ Akbar Rahaman son of Md.Gafoor@Md.Gafur Rahaman Resident of village-Vishwanathpur Fardaha ,P.O- Fardaha P.S-Bahera District- Darbhanga, Bihar
2. MD.ATAUL @ ATAUR RAHAMAN S/O LATE MD.GAFOOR@MD.GAFUR RAHAMAN Resident of village-Vishwanathpur Fardaha ,P.O- Fardaha P.S-Bahera District- Darbhanga, Bihar
3. MD.KAMARUDDIN @MO KAMARUDDIN S/O LATE MD.GAFOOR @MD.GAFUR RAHAMAN Resident of village-Vishwanathpur Fardaha ,P.O- Fardaha P.S-Bahera District- Darbhanga, Bihar
4. MD.MUMTAZ S/O-Md. ATAUL @ ATAUR RAHAMAN Resident of village-Vishwanathpur Fardaha ,P.O- Fardaha P.S-Bahera District- Darbhanga, Bihar
5. MD.SHAHNAWAZ@SHAHANAVAJ KUZRA S/O-MD.KAMARUDDIN Resident of village-Vishwanathpur Fardaha ,P.O- Fardaha P.S-Bahera District- Darbhanga, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Saurav Barial, Advocate
For the State	:	Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 01-07-2024 Heard learned counsels for the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 143, 341, 323, 308, 354B, 379, 504 and 506 of the Indian Penal Code.

3. The prosecution case in brief is that on 16.07.2023, all the accused persons named in the F.I.R., including these petitioners, armed with deadly weapons, came on the street of



the informant's house where the son of the informant was cleaning. It is further alleged that on the order of Petitioner No. 3, Petitioner No. 1 gave a spade blow on the head of son of the informant. It is further alleged that thereafter, all the accused persons indiscriminately assaulted the informant and his son with lathi and brick. When wife of the informant came to rescue, Petitioner No. 4 tore her dress and Petitioner No. 5 snatched silver chain from her neck.

4. It is submitted by learned counsel appearing on behalf of the petitioner that due to land dispute between the parties, a scuffle took place. Doctor found the injuries to be simple in nature. Rest of the allegations are ornamental only in order to make the case grave. Petitioners claim clean antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioners.

6. Considering the aforesaid facts and circumstances, nature of injuries sustained by the inured and clean antecedents of the petitioners, the prayer for grant of anticipatory bail to the petitioners is allowed.

7. Accordingly, in the event of arrest/surrender within



a period of six weeks from today, let the above named petitioners be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Benipur, Darbhanga, in connection with Bahera P.S. Case No.303 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

shashank/-

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

