

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33644 of 2024

Arising Out of PS. Case No.-14 Year-2024 Thana- BEERPUR District- Begusarai

1. Md Mahboob @ Md Mahboob Alam Son of Md. Manzoor Resident of Village -Mubarakpur ,Saraunja ,Ward No- 9 ,P.S -Birpur, Dist- Begusarai
2. Md. Mahfooz Alam @ Md. Mahfooz Son of Md. Akbar @ Akbar @ Late Md. Akbar Resident of Village -Mubarakpur ,Saraunja ,Ward No- 9 ,P.S -Birpur, Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md Ataul Haque, Adv
For the Opposite Party/s : Mr. Sanjay Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 09-05-2024 Heard learned counsel for the petitioners and learned
A.P.P for the State.

2. The petitioners have preferred this application for grant of regular bail in connection with Birpur P.S. Case No. 14 of 2024 dated 04.02.2024 registered for the offences punishable u/s 147, 341, 323, 324, 447, 307, 504 and 506 of the Indian Penal Code.

3. As per the prosecution case, the petitioners and the co-accused person are alleged to have threatened the informant to vacate the land. On being objected the co-accused person assaulted on the head of the informant's brother, namely, *Manoj Kumar* with iron rod causing head injury.



4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. The allegation against the petitioner is general and omnibus in nature. The petitioner no. 1, namely, *Md. Mahboob* is not named in the F.I.R. There is no specific allegation of assault against the petitioner. On bare perusal of the injury report it is submitted that the injury which was sustained by the informant and his brother is simple in nature. Learned counsel has further submitted that there is a case and counter case between the parties and the petitioner side also lodged a F.I.R. bearing Birpur P.S. Case No. 15 of 2024 against the informant and his family members and as per the F.I.R. itself, there is a land dispute between the parties. The petitioner no. 1 has one criminal antecedent and petitioner no. 2 has also one criminal antecedent as stated in para 3 of the bail petition. The petitioners are in custody since 05.02.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners.

6. Considering the aforesaid facts and circumstances of the case, the nature of allegation, the injury which was sustained by the injured is simple in nature and the period of custody, the petitioners above-named, are directed to be



enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Begusarai in connection with Birpur P.S. Case No. 14 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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