

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34104 of 2024

Arising Out of PS. Case No.-39 Year-2023 Thana- ABADPUR District- Katihar

1. Md. Anjar S/O Late Altab R/O - Chapakhor, P.S.- Abadpur, Dist- Katihar
2. Taro Khatoon Wife Of Sabratu R/O - Chapakhor, P.S.- Abadpur, Dist- Katihar
3. Pinki Khatoon W/O Anjar @ Md. Anjar R/O - Chapakhor, P.S.- Abadpur, Dist- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 02-05-2024 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend arrest in Abadpur P.S. Case No. 39 of 2023, registered under Sections 447, 341, 323, 324, 379, 504, 506, 34 of the Indian Penal Code, subsequently Section 302 and 307 of the Indian Penal Code was added.

3. The prosecution case, in short, is that, all the accused persons including these petitioners armed with weapons came at the place of occurrence and started abusing the informant. When the informant opposed, Md. Aslam gave a chapar blow on the head of the informant and when the father



and mother of the informant came to save him, the accused persons assaulted both of them due to which father of the informant sustained injury on his head. It is further alleged that during occurrence, the accused persons snatched Rs. 10,000/- and ornaments from the informant and his mother.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. The allegation against the petitioners are not specific, rather general and omnibus in nature. The specific allegation is against Md. Aslam who gave chapar blow on the head of the informant. Learned counsel for the petitioner further submits that there is earlier land dispute between the parties. There is case and counter-case between the parties. The petitioners have got no criminal antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioners. Learned APP for the state further submits that regular bail of similarly situated co-accused has been rejected by this Court vide order dated 14.03.2024 passed in Cr. Misc. No. 58371 of 2023

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/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Abadpur P.S. Case No. 39 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Rudra Prakash Mishra, J)

Rajorshi/-

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