

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36494 of 2024

Arising Out of PS. Case No.-1035 Year-2023 Thana- PURNEA SADAR District- Purnia

1. Md. Abbas Son of Sarfuddin Res. of Village - Fatehpur, P.S.- Kasba, Distt.- Purnea
2. Md. Akbar @ Akbar Sah Son of Md. Naushad Res. of Village - Fatehpur, P.S.- Kasba, Distt.- Purnea
3. Md. Jahagir Son of Late Seizul Sah Res. of Village - Fatehpur, P.S.- Kasba, Distt.- Purnea
4. Md. Dastgir @ Dastgir Son of Md. Taiyab Res. of Village - Dangraha, P.S.- Kasba, Distt.- Purnea
5. Md. Dilshad @ Dilsad Son of Md. Taiyab Res. of Village - Dangraha, P.S.- Kasba, Distt.- Purnea
6. Md. Tofar Alam Son of Baharuddin Res. of Village - Shisha bari, P.S.- Kasba, Distt.- Purnea
7. Badri Sah @ Md. Badri Sah Son of Late Saizul Sah Res. of Vill. - Fatehpur, P.S.- Kasba, District - Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar
For the Opposite Party/s : Mr.Parmanand Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 24-06-2024 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.
2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 447, 147, 148, 341, 323, 307, 379, 504 and 506 of the Indian Penal Code.
3. Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and have been



falsely implicated in the instant case by the informant on account of dispute relating to land. It is next submitted that the specific allegation of assaulting the son of the informant, namely, Gufran, is against Md. Naushad and as far as allegation of assaulting his another Son Rihan is alleged, the said allegation is general and omnibus in nature. It is further submitted that from perusal of the injury report annexed as Annexure-2 series, it would manifest that the same records that the injury of Rihan is simple in nature until NCCT report not submitted and as far as Md Gufran's injury is concerned, the same records simple caused by hard and blunt substance, but then learned counsel for the petitioner fairly submits that from perusal of the order impugned, it would manifest that the same records that the injury of Rihan is grievous in nature. It is next submitted that the allegation of assaulting Rihan is against named as well as unknown accused persons, but then submits that had the accused in such large number would have assaulted Rihan, whether he would have suffered injury in nature as it has come in the injury report, i.e., no external injury was found.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

5. Considering the submissions made by the learned



counsel for the petitioners, the petitioners above-named, in the event of their 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. 20,000/- (Rupees Twenty Thousand) each 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 Sadar P.S. Case No. 1035 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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