

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42229 of 2024

Arising Out of PS. Case No.-32 Year-2024 Thana- PANDAUL District- Madhubani

1. Md. Chaman @ Chaman Son Of Samisul @ Md. Samisul Resident Of Village - Bhagwatipur, Maintola, Ward No. 6, P.S. - Pandaul, District - Madhubani
2. Md. Jalal Son Of Md. Izharul Resident Of Village - Bhagwatipur, Maintola, Ward No. 6, P.S. - Pandaul, District - Madhubani
3. Rajina Khatoon @ Rajiya Khatoon Wife Of Md. Salam Resident Of Village - Bhagwatipur, Maintola, Ward No. 6, P.S. - Pandaul, District - Madhubani
4. Md. Samisul @ Samirul Son Of Late Ayub @ Md. Ayub Resident Of Village - Bhagwatipur, Maintola, Ward No. 6, P.S. - Pandaul, District - Madhubani
5. Md. Anisul Rahman @ Anisur Rahman Son Of Late Ayub Resident Of Village - Bhagwatipur, Maintola, Ward No. 6, P.S. - Pandaul, District - Madhubani
6. Rahmati Khatoon Wife Of Md. Rizwan Resident Of Village - Bhagwatipur, Maintola, Ward No. 6, P.S. - Pandaul, District - Madhubani
7. Md. Gufran Son Of Anisul Rahman @ Md. Anisur Rahman Resident Of Village - Bhagwatipur, Maintola, Ward No. 6, P.S. - Pandaul, District - Madhubani
8. Md. Imtiyaz @ Md. Mumtiyaz @ Md. Mumtaz @ Mumtaz Son Of Md. Kaish @ Majju Resident Of Village - Bhagwatipur, Maintola, Ward No. 6, P.S. - Pandaul, District - Madhubani
9. Md. Irfan Son Of Md. Anisul Resident Of Village - Bhagwatipur, Maintola, Ward No. 6, P.S. - Pandaul, District - Madhubani
10. Md. Rizwan Son Of Md. Anisul Resident Of Village - Bhagwatipur, Maintola, Ward No. 6, P.S. - Pandaul, District - Madhubani

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav
Mr. Ravi Prakash / Mr. Rajesh Kumar, Advocates
For the Opposite Party/s : Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3. 10-09-2024 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 offence under Sections 341, 342, 323, 325, 308, 354, 380, 504, 506, 34 of the Indian Penal Code.

3. As per the prosecution case, on the alleged date and time of occurrence, when Bhaisur of the informant was going on motorcycle, all the petitioners named in the F.I.R. surrounded him and on protest, they assaulted informant and others, as a result of which, six persons, including informant, sustained injury.

4. Learned counsel for the petitioners submits that assertion of right, title and possession by both parties over a piece of land led to free- fight, in which, both sides sustained injury. There is case and counter case. Most of the injuries are simple in nature.

5. However, learned A.P.P. for the State vehemently opposes the bail petition and submits that injury caused by petitioner no. 2 (Md. Jalal) to informant has been found to be grievous in nature by the doctor.

6. Considering the grievous nature of injury, caused by petitioner no. 2 (Md. Jalal), his prayer for anticipatory bail is rejected.

7. However, since injury caused by other petitioners is



simple in nature and there is general and omnibus allegation against them, in the event of their arrest/surrender within a period of eight weeks from today, let the petitioner nos. 1, 3, 4, 5, 6, 7, 8, 9 & 10, as named above, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhubani in connection with Pandaul P.S. Case No. 32 of 2024, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

8. This application is, accordingly, disposed of.

(Prabhat Kumar Singh, J)

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