

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.44196 of 2024**

Arising Out of PS. Case No.-37 Year-2024 Thana- NOWKOTHI GARHPURA District-  
Begusarai

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1. Md. Naushad Alam @ Md. Naushad, aged about 30 years, Male, son of Md. Anish Miyan,
  2. Md. Jahangir, aged about 31 years, son of Md. Alamgir Marhum,
  3. Md. Tanveer, aged about 26 years, Male, son of Md. Alamgir Marhum,  
All resident of village- Babhangama, Ward no. 10, P.S.- Nawkothe, Dist.- Begusarai

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Praveen Kumar Agrawal, Advocate  
For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

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**CORAM: HONOURABLE MR. JUSTICE KHATIM REZA**  
**ORAL ORDER**

2      24-07-2024                      Heard learned counsel for the petitioners and learned  
Additional Public Prosecutor for the State.

2. The petitioners apprehend arrest in connection with Nawkothe PS Case No.37 of 2024 dated 25.03.2024, instituted under Sections 341, 323, 307, 379/34 of the Indian Penal Code.

3. The prosecution case, in short, is that the petitioner along with others armed with iron rod, bamboo and *danda* came at the door of the informant and started assaulting him. Petitioner no.1 is alleged to have assaulted Shajjad Alam, whereas, petitioner nos. 2 and 3 are alleged to have assaulted the informant on his head and hand.



4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. There is case and counter case between the parties. Counter case i.e., Nawkothe PS Case No.50 of 2024 has been lodged by the mother of the petitioner nos. 2 and 3 against the informant and others. There is land dispute between the parties and several cases are pending between both sides. Further submission is that the doctor has found simple injury on the person of injured caused by hard and blunt substance. Lastly, it is submitted that three cases are pending against the petitioners which have been lodged by the informant's side and apart from this petitioner no.1 has one more criminal case pending against him under the Electricity Act.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Begusarai, in Nawkothe PS Case No.37 of 2024, subject to the conditions laid down in



Section 438(2) of the Code of Criminal Procedure, 1973.

7. The application stands allowed.

**(Khatim Reza, J)**

J. Alam/-

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