

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49471 of 2024

Arising Out of PS. Case No.-230 Year-2023 Thana- BEERPUR District- Begusarai

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1. MD. MANZUR ALAM @ MD. MANZUR MIYA SON OF SAHEB MIYA @ SAHABUDDIN R/O VILLAGE- BHAWANANDPUR, P.S.- BIRPUR, DISTT.- BEGUSARAI
 2. MD. MUMTAZ @ MD. SITTU MIYA @ SATTU SON OF MD. MANZUR ALAM @ MD. MANZUR MIYA R/O VILLAGE- BHAWANANDPUR, P.S.- BIRPUR, DISTT.- BEGUSARAI
 3. MD. MAZHRUL HAQ @ MD. FAZIL MIYA SON OF MD. MANZUR ALAM @ MD. MANZUR MIYA R/O VILLAGE- BHAWANANDPUR, P.S.- BIRPUR, DISTT.- BEGUSARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Sameer, Advocate
For the Opposite Party/s : Mr. Shantanu Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 19-08-2024 1. Learned counsel for the petitioners seeks permission to withdraw the prayer for anticipatory bail with respect to petitioner no. 1, namely, Md. Manzur Alam @ Md. Manzur Miya.
2. Permission is accorded.
3. Accordingly, the prayer for anticipatory bail with respect to petitioner no. 1 is dismissed as withdrawn.
4. Heard learned counsel for the petitioners no. 2 and 3 and learned A.P.P. for the State.
5. The petitioners no. 2 and 3 apprehend their arrest in a case registered for the offences punishable under Sections 341,



323, 504, 506, 307 and 379/34 of the Indian Penal Code.

6. Learned counsel for the petitioners submits that petitioners no. 2 and 3 are persons with clean antecedent.

7. The informant alleges that Fazil Mian (petitioner no. 3) assaulted her by an iron rod on her back thereafter Manzur Miya assaulted Khairu Nisha on her head by an iron rod causing injury and she became unconscious. Further, Sittu Miya (petitioner no. 2) assaulted Begum Khatoon by an iron rod injuring her fingers of left and right hand. It is further alleged that thereafter named accused persons assaulted the informant and Ladli Khatoon snatched gold chain of Begum Khatoon. Further, alleges that the occurrence took place on account of dispute relating to land.

8. Learned counsel for the petitioners submits that from bare perusal of the allegation as alleged in the FIR, it would manifest that on account of dispute relating to land, the present occurrence is alleged to have taken place and the petitioners no. 2 and 3 are alleged to have assaulted the injured on non-vital part of the body.

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

10. Considering the submissions made by the learned



counsel for the petitioners no. 2 and 3, let the petitioners no. 2 and 3 above-named, in the event of their arrest or 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 the learned court below where the case is pending/successor court in connection with Begusarai Birpur P.S. Case No. 230 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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