

Arising Out of PS. Case No.-12 Year-2024 Thana- MANIHARI District- Katihar

... .. Petitioner/s

... .. Opposite Party/s

For the Petitioner/s : Mr. Md Rahmatullah
For the Opposite Party/s : Mr. Chandra Bhushan Prasad

5. Accordingly, the present anticipatory bail application is dismissed as withdrawn with respect to



petitioner no. 3 only.

6. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and the informant alleges that for some time, bricks and stones were thrown at everyone's house in between 07:00-08:00 PM by unknown accused, for which *Panchayati* was also held, further on 15.01.2024, the accused persons including the petitioners came and started assaulting her, further Md. Karim dashed her on the ground and gave orders to kill the entire family, thereafter, Karim assaulted her husband by an iron rod causing injury on head, thereafter, Numan Karim assaulted her son by *farsa* causing injury on head, thereafter, Umar and Dilshar assaulted by knife causing injury on finger of Jahul, further, accused also assaulted Allauddin causing injury to him.

7. Learned counsel for the petitioners submits that from perusal of the allegation as alleged in the F.I.R., it would manifest that on account of dispute relating to throwing of stone, the alleged occurrence is said to have taken place, but then in reality, an altercation had taken place in between the side of the petitioners and the informant, on account of dispute relating to land and from the side of the petitioners, Manihari P.S. Case No. 11 of 2024 was instituted against the informant and his side. It is also submitted that the injury caused to the injured is simple in nature.



8. Learned A.P.P. for the State, Mr. Chandra Bhushan Prasad, vehemently opposes the prayer for anticipatory bail of the petitioners and submits that specific allegation of assaulting the informant and her husband is against Md. Karim and Numan Karim and Umar and Dilshar are alleged to have assaulted by knife causing injury on finger of Jahul, it is next submitted that Jahul even suffered sharp cut injury as would manifest from the order impugned, it is next submitted that even some of the injuries suffered by the side of the informant is grievous as recorded in the order impugned. It is next submitted that Maqsood also suffered incised wound of about ½ cm x ½ cm perital amputated left ring finger and lacerated wound of 7 cm x ½ cm x ¼ cm over right region of scalp, further 6th rib of Maqsood was also broken.

9. Considering the submissions made by the learned APP for the State, the Court is not inclined to extend the privilege of anticipatory bail to the petitioners.

10. Accordingly, the instant anticipatory bail application stands rejected.

(Satyavrat Verma, J)

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