

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51314 of 2024

Arising Out of PS. Case No.-686 Year-2018 Thana- NARPATGANJ District- Araria

1. Meena Khatoon Wife of Md. Khalil Resident of Village - Swaldah Panchayat Rewahi, Police Station - Narpatganj, District - Araria.
2. Bijli Khatoon @ Fatma Wife of Md. Nasim Resident of Village - Swaldah Panchayat Rewahi, Police Station - Narpatganj, District - Araria.
3. Md. Tanveer Son of Md. Jamil Resident of Village - Swaldah Panchayat Rewahi, Police Station - Narpatganj, District - Araria.
4. Md. Tausif Son of Md. Jamil Resident of Village - Swaldah Panchayat Rewahi, Police Station - Narpatganj, District - Araria.
5. Md. Nizam @ Md. Nazam Son of Late Khuda Bux Resident of Village - Swaldah Panchayat Rewahi, Police Station - Narpatganj, District - Araria.
6. Md. Mubarak Son of Md. Jhabe Resident of Village - Swaldah Panchayat Rewahi, Police Station - Narpatganj, District - Araria.
7. Md. Tahrin @ Md. Karun Son of Late Md. Hamid Resident of Village - Swaldah Panchayat Rewahi, Police Station - Narpatganj, District - Araria.
8. Md. Halim @ Md. Israyal Son of Md. Nazam Resident of Village - Swaldah Panchayat Rewahi, Police Station - Narpatganj, District - Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Mandal
For the Opposite Party/s : Mr. Satya Nand Shukla

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 04-10-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 307, 147, 148, 149, 341, 323, 325, 324, 447, 379, 504 of the Indian Penal Code and Section 27 of the Arms Act.



3. As per the prosecution case, the petitioners along with other co-accused persons are said to have assaulted the informant and his family members.

4. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He submits that there is no specific overt act against the petitioners no. 1 to 7. He fairly submits that there is specific allegation against petitioner no. 8, who is said to have assaulted one Md. Majid and injury was found grievous in nature. He further submits that similarly situated co-accused have been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 23.03.2023 passed in Cr. Misc. No. 73212 of 2022. He next submits that there is admitted land dispute between the parties and both the parties are agnates. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposed the prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case and there is no specific overt act against the petitioners no. 1 to 7, let the above named petitioners no.1 to 7, be released on



bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five 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 Narpatganj P.S. Case No. 686 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

7. Considering the facts and circumstances of case and the fact that there is specific allegation against petitioner no. 8, I am not inclined to enlarge petitioner no.8 on anticipatory bail. The prayer for anticipatory bail of the petitioner no. 8 is hereby rejected.

8. Accordingly, this application is partly allowed.

(Anjani Kumar Sharan, J)

anand/-

U		T	
---	--	---	--

