

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51191 of 2024

Arising Out of PS. Case No.-651 Year-2023 Thana- SUPAUL District- Supaul

1.

Safik Sah @ Md. Safik Sah Son of Late Chedu Sah R/o Mohalla - Chain Singh Patti, Ward No.- 03, P.S.- Supaul, District - Supaul
2.

Md. Jahangir Sah Son of Safik Sah @ Md. Safik Sah R/o Mohalla - Chain Singh Patti, Ward No.- 03, P.S.- Supaul, District - Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Patla Kumari, Adv.
For the Opposite Party/s	:	Mr. Umesh Lal Verma, A.P.P.
For the Informant	:	Mr. Ziaul Quamar, Adv.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

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28-08-2024

Heard learned counsel for the petitioners, learned counsel for the informant and learned A.P.P. for the State.

02. In the present case, the petitioners are apprehending their arrest in connection with Supaul P.S. Case No. 651 of 2023 registered for the alleged offences under Section 341, 323, 325, 379, 504, 506 and 34 of the Indian Penal Code.

03. As per prosecution case, during a *Panchayati*, the petitioners assaulted the informant with iron rod, legs and fists and snatched Rs. 6,000/- from him.

04. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. The petitioners are father and son and petitioner no. 1 is aged about 68 years. Land dispute is admitted from the F.I.R. From the

perusal of the F.I.R. it is also apparent that the informant received injury on his nose however from the rejection order, supervision of I.O. has been mentioned which shows there has been fracture in the nose of the informant and hairline fracture on 7th rib but no injury report has been brought on record. Learned counsel further submits that the petitioners are having clean antecedent and petitioner no. 1 has filed a Compliant Case No. 897 of 2023 before the learned C.J.M., Supaul against the informant side.

05. Learned A.P.P. for the State and learned counsel for the informant vehemently opposed the contention made on behalf of the learned counsel for the petitioners. Learned counsel for the informant submits that the informant received injuries on his nose and chest.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the background of land dispute and not so serious nature of injuries and possibility of false implication, let the petitioners above named, in the event of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Court of C.J.M., Supaul in connection with Supaul P.S. Case No. 651 of 2023, subject to the condition

laid down under Section 438(2) of the Code of Criminal Procedure
and other following conditions:

- (i) One of the bailors will be a
close relative of the petitioners.
- (ii) The petitioners will remain
present on each and every date
fixed by the court below, if so
required by the learned trial
court.

(Arun Kumar Jha, J)

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