

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52805 of 2024

Arising Out of PS. Case No.-330 Year-2023 Thana- AAJAM NAGAR District- Katihar

1. Javed Mansoori, son of Jamish Mansoori
2. Janesar Mansoori @ Janesar, son of Jamish Mansoori
3. Samsuddin Mansoori, son of Late Piru Mansoori
4. Sonu Mansoori, son of Samsuddin Mansoori
5. Arbaz Masoori, son of Sarbar Mansoori
All resident of Village- Khangama, P.S.- Azam Nagar District -Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kunwar Singh, Advocate

For the Opposite Party/s : Mr.Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 02-09-2024 1. Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners apprehend their arrest in
connection with Azam Nagar P.S. Case No. 330 of 2023 dated
13.09.2023, registered for the offence(s) punishable under
Section(s) 341, 323, 379, 308, 504, 506, read with Section 34 of
the Indian Penal Code.

3. Learned counsel appearing for the petitioners
submits that petitioners are innocent and have been falsely
implicated in this case due to previous enmity and there is case
and counter case registered as Azam Nagar P.S. Case No. 329 of



2023 against the informant and his family members. It is further submitted that there is a long standing land dispute between both the parties claiming ownership of the land in question and petitioners have no criminal antecedent.

4. Learned APP appearing for the State has opposed the bail prayer of the petitioners.

5. Having considered the submissions noted hereinabove and considering the nature of allegations appearing against the petitioner no. 2 (Janesar Mansoori @ Janesar), petitioner no. 3 (Samsuddin Mansoori), petitioner no.4 (Sonu Mansoori) and petitioner no. 5 (Arbaz Masoori), who allegedly assaulted the informant's brother-in-law, Md. Soyeb Mansoori, upon whom simple injuries were found as per order impugned and moreover the allegation concerned to these petitioners in respect of assaulting is general and omnibus and there is case and counter case in between both the parties and a land dispute is said to be the genesis of the occurrence, in my opinion, the above petitioners deserve to the privilege of anticipatory bail. Accordingly, let the **petitioner no. 2 (Janesar Mansoori @ Janesar), petitioner no. 3 (Samsuddin Mansoori), petitioner no.4 (Sonu Mansoori) and petitioner no. 5 (Arbaz Masoori),** in the event of their arrest/surrender before the learned court



below within a period of six weeks from today, be released on anticipatory bail in connection with Azam Nagar P.S. Case No. 330 of 2023 on furnishing bail bonds of Rs.10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Court concerned, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

6. So far as the prayer of petitioner no. 1 (Javed Mansoori) is concerned, against him, there is specific allegation of having assaulted at the head of the informant and as per order impugned the injury is found at vital part of the informant, which has been opined to be grievous in nature, in my opinion, the said **petitioner no. 1 (Javed Mansoori)** does not deserve to the privilege of anticipatory bail. Accordingly, his anticipatory bail prayer **stands rejected.**

(Shailendra Singh, J)

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