

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55122 of 2024

Arising Out of PS. Case No.-66 Year-2024 Thana- CHANDRADIP District- Jamui

1. Md. Sufiyan, aged about 57 years, male, son of Mohammad Kutubuddin @ Md. Mohsin,
2. Md. Asif @ Asif Mallick @ Asif, aged about 20 years, male, son of Md. Faisal,
3. Md. Faisal Mallick, aged about 57 years, male, son of Mohammad Badruddin,
All R/o Village- Kaitha, P.S.- Chandradeep, District- Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Niranjana Parihar, Advocate
For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 28-08-2024 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. Learned counsel for the petitioners seeks permission to make necessary correction in the prayer portion with regard to PS Case number. Prayer is allowed. Let the same be done in course of the day.

3. The petitioners apprehend arrest in connection with Chandradeep PS Case No.66 of 2024 dated 06.04.2024, instituted under Sections 147, 148, 149, 341,323, 324, 307, 506 of the Indian Penal Code and Section 27 of the Arms Act.

4. The allegation against the petitioners is that the



petitioners along with other co-accused came at the spot armed with various weapons. It is alleged that the petitioner Md. Faisal along with other accused persons assaulted Md. Anwar Shahzad on his head, eye and other parts of the body with intention to kill him. Petitioner No. 1, Md. Sufiyan, and other accused persons put pistol on the temple of the informant and assaulted him by the butt of the pistol and caused injury. Petitioner no.2, Md. Asif, and others are alleged to have made air firing and assaulted Md. Hannad Anwar and Md. Naushad Anwar by sword and iron rod causing injury to them.

5. Learned counsel for the petitioners submits that the petitioners are innocent and he has been falsely implicated in this case. It is further submitted that FIR has been lodged against twenty eight persons including the petitioner. Further submission is that there is no specific allegation against the petitioners, rather allegation against the petitioners is general and omnibus in nature. On account of land dispute between the parties, the petitioners have been implicated in this false case. Lastly, it is submitted that the petitioners have no criminal antecedents. Further submission is that one of the co-accused, Mohammad Kutubuddin @ Md. Mohsin, has been granted anticipatory bail by this Court today itself vide Cr. Misc.



No.53921 of 2024.

6. Learned APP has opposed the prayer for bail.

7. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned ACJM, 1st, Jamui, in Chandradeep PS Case No.66 of 2024, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

8. The application stands allowed.

(Khatim Reza, J)

J. Alam/-

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