

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59849 of 2024

Arising Out of PS. Case No.-672 Year-2023 Thana- HARSIDHI District- East Champaran

1. Chand Mohammad Mian, Male, aged about 50 years, Son of Amir Mian
2. Khushbu Nesa, Female, aged about 35 years, Wife of Saddam Mian
3. Md. Kaushar @ Kaishar Alam, Male, aged about 48 years, Son of Sohrab Ansari
4. Halim Mian, Male, aged about 50 years, Son of Late Jamun Mian
5. Najabun Khatoon, Female, aged about 48 years, Wife of Chand Mohammad Mian
6. Husne Ara @ Husneara Khatoon, Female, aged about 30 years, Wife of Sohrab Mian
7. Salamudin Ansari @ Salauddin Ansari, Male, aged about 55 years, Son of Hanif Mian
8. Arman Ansari, Male, aged about 30 years, Son of Manjoor Ansari
9. Manjoor Ansari, Male, aged about 60 years, Son of Late Gaphur Ansari All Resident of Village - Manikpur, P.S.- Harsidhi, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhurendra Kumar, Advocate
For the Opposite Party/s : Mr.Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 11-09-2024 Heard Mr. Dhurendra Kumar, learned counsel

 appearing on behalf of the petitioners and Mr. Surendra Prasad

 Singh, learned APP for the State.

2. The petitioners seek pre-arrest bail in

 connection with Harsidhi P.S. Case No. 672 of 2023 registered

 for the offence(s) punishable under Sections

 341/323/324/307/435/379/448/435/354/34 of the Indian Penal



Code.

3. As per the allegation made in the FIR, all the accused persons who are petitioners have tried to kill the informant.

4. Learned counsel appearing on behalf of the petitioners submitted that petitioners and informant are own family members and neighbours. There is case and counter case between the parties due to previous enmity between them. Learned counsel further submitted that merely 12 days before the alleged incidence and lodging of the FIR on behalf of the petitioners side, on the basis of false allegation, the petitioners have been roped in the present case.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having considered the rival submissions made on behalf of the parties, as well as, the fact that though the injury report is not very convincing, the doctor has opined that the injury is in simple in nature and also the fact that there is case and counter case between the parties, I am of the opinion that petitioners have, prima facie, made out a case to be released on pre-arrest bail.

7. The petitioners, above named, are directed to be



released on pre-arrest bail, in the event of their arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Harsidhi P.S. Case No. 672 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

8. The learned District Court is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases, as what has been stated in paragraph no.3 of the bail application, this order will automatically lose its force.

(Purnendu Singh, J)

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