

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56557 of 2024

Arising Out of PS. Case No.-112 Year-2023 Thana- SAHEBPUR KAMAL District-
Begusarai

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1. Lal Mohammad S/o Rahmat Hussain R/O SANDALPUR WARD 02
SANDALPUR PS SAHEBPUR KAMAL DIST BEGUSARAI
 2. Hasina Bano W/o Lal Mohammad R/O SANDALPUR WARD 02
SANDALPUR PS SAHEBPUR KAMAL DIST BEGUSARAI

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 56938 of 2024

Arising Out of PS. Case No.-112 Year-2023 Thana- SAHEBPUR KAMAL District-
Begusarai

Md. Raqueeb Aalam @ Md. Rakib Alam SON OF LAL MOHAMMAD
Resident of Sandalpur Ward 02, Sandalpur, P.S -Sahebpur Kamal, District-
Begusarai.

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 56557 of 2024)

For the Petitioner/s : Mr.Anurag Saurav

For the Opposite Party/s : Mr.Dr. Ajeet Kumar

(In CRIMINAL MISCELLANEOUS No. 56938 of 2024)

For the Petitioner/s : Mr.Anurag Saurav

For the Opposite Party/s : Mr.Jitendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 04-09-2024 1. Heard the parties.



2. Since both the aforesaid anticipatory bail applications arise out of the same F.I.R. i.e. S. Kamal P.S. Case No. 112 of 2023, as such, both were taken up together and are being disposed of by this common order.

3. The petitioners apprehend their arrest in connection with S. Kamal P.S. Case No. 112 of 2023 dated 26.04.2023 registered under Sections 341, 323, 324, 307, 436 / 34 of the I.P.C.

4. As per the First Information Report on 25.04.2023 in the morning the petitioners of Cr. Misc. No. 56557 of 2024 & Cr. Misc. No. 56938 of 2024 along with other accused persons came near the newly / under constructed house of the informant and started abusing and assaulting the informant and his family members. The petitioner of 2nd case i.e. Cr. Misc. No. 56938 of 2024 Md. Raqueeb Aalam @ Md. Rakib Alam assaulted the brother of the informant Md. Javed on his head with “farsa” due to which he sustained injury. It has further been alleged that petitioners set the house of the informant ablaze by pouring petrol due to which the properties of the informant got damaged.

5. Learned counsel for the petitioners submits that petitioners have falsely been implicated due to previous dispute between the parties. Both the parties are co-sharers and S. Kamal P.S. Case No. 96 of 2007 was lodged by the side of the petitioners



against the informant and others in which cognizance upon the charge-sheet has been taken and trial has started. The side of the informant was putting pressure upon the petitioners to enter into compromise of S. Kamal P.S. Case No. 96 of 2007. The petitioners side has lodged a counter case also bearing S. Kamal P.S. Case No. 115 of 2023. Learned counsel submits that injury caused to Md. Javed by the petitioner of Cr. Misc. No. 56938 of 2024 is simple in nature. The petitioners of Cr. Misc. No. 56557 of 2024 are husband and wife and are aged about 71 & 64 years respectively.

6. Regard being had to the submission made by the parties, taking into consideration the fact that both the parties are co-sharers, there is previous long standing dispute between them, case and counter case has also been lodged and the injury caused to the victim is simple in nature, as such, I am inclined to grant anticipatory bail to the petitioners.

7. Let the petitioners of Cr. Misc. No. 56557 of 2024 & Cr. Misc. No. 56938 of 2024, above named, be released on anticipatory bail in the event of arrest or surrender before the court below 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



A.C.J.M. IV, Begusarai in connection with S. Kamal P.S. Case
No. 112 of 2023 subject to the condition as laid down under
Section 438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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