

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64193 of 2024

Arising Out of PS. Case No.-172 Year-2023 Thana- PIPRAKOTHI District- East Champaran

1. Nasir Devan @ Md. Nseer @ Md. Nasir S/o Late Nathuni Devan Resident of Village - Suryapur (Koieiya Tola), P.S. - Piprakothi, District - East Champaran
2. Salim Javed @ Md. Salim Javed @ Md. Salim Jawed S/o Late Eid Mohammad Miya Resident of Village - Suryapur (Koieiya Tola), P.S. - Piprakothi, District - East Champaran
3. Akhtar Ali @ Md. Akhtar Alam S/o Ahmad Miya Resident of Village - Suryapur (Koieiya Tola), P.S. - Piprakothi, District - East Champaran
4. Tabrez Alam @ Md. Tabrez Alam S/o Late Naimuddin Miya R/o vill - Kazipur, P.S. - Piprakothi, Distt. - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 65373 of 2024

Arising Out of PS. Case No.-172 Year-2023 Thana- PIPRAKOTHI District- East Champaran

Gulnaz Khatoon @ Gulmaz Khatoon Daughter of Jalauddin Ansari @ Jalam mian @ Jaladudin Ansari Resident of Village - Surajpur, P.S. - Pipra Kothi, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 64193 of 2024)

For the Petitioner/s : Mr. Madhurendra Kumar, Advocate

For the Opposite Party/s : Mr. Binod Kumar, APP

(In CRIMINAL MISCELLANEOUS No. 65373 of 2024)

For the Petitioner/s : Mr. Madhurendra Kumar, Advocate

For the Opposite Party/s : Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 23-10-2024

1. Heard learned counsel for the petitioners and
learned A.P.P. for the State.



2. The learned counsel for the petitioners submits that petitioners seek anticipatory bail in connection with Piprakothi P.S. Case No. 172 of 2023 for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 427, 307, 504 and 506 of the Indian Penal Code.

3. Learned counsel submits that the petitioners are persons with clean antecedent and the informant alleges that he is secretary of Madarsa and the accused petitioners and co-accused persons including 150 unknown accused damaged his alto car by pelting bricks and thereafter, the accused also assaulted the informant and his family members by means of dabiya, rod and knife and the injured were treated in Sadar Hospital, Motihari.

4. The learned counsel submits that the petitioners have been falsely implicated in the instant case by the informant. It is next submitted that the specific allegation of assault is against Gulnaz who is alleged to have assaulted the son of the informant by dabiya and knife causing injury on his hand. Thereafter, Md. Alam is alleged to have assaulted Nesar Ahmad by an iron rod and Salim is alleged to have assaulted Nesar by knife. Further Jalaluddin, Salaluddin and Alisen are alleged to have assaulted the informant thereafter Nasir and



Sakir are alleged to have assaulted the son of the informant Reyaz by a rod while Kasmuddin and Kalamuddin assaulted his son by lathi. Learned counsel next submits that on account of dispute relating to land of Madarsa the instant occurrence is alleged to have taken place. It is also submitted that several cases are going on in between the parties and as far as the present petitioners of Cr. Misc. No. 64193 of 2024 are concerned no specific allegation of assault is alleged against them except petitioner Nasir Devan who is alleged to have assaulted the son of the informant Reyaz by a rod along with Sakir but then Reyaz has received simple injury which amply demonstrate that petitioner never had any intention of committing a serious occurrence. It is also submitted that Gulnaz has been falsely implicated in the instant case by the informant with an allegation that she assaulted the son of the informant by Dabiya and knife causing injury on his hand for the reason that she is the daughter of Jalan Miya with whom the informant is having dispute relating to the Madarsa. It is next submitted that though it is alleged that Gulnaz assaulted the son of the informant by dabiya and knife but then from perusal of the injury report of the injured it would manifest that injury has been caused by hard and blunt substance and injury has been



opined to be simple in nature.

5. Learned A.P.P. opposes the bail application.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Piprakothi P.S. Case No. 172 of 2023 subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

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