

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63162 of 2024

Arising Out of PS. Case No.-68 Year-2024 Thana- MANSAHI District- Katihar

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1. Md. Sohail @ Md. Sohail Son of Md. Islam Resident of Village - Chhoti Bathna, P.S. - Mansahi, District - Katihar
 2. Md. Aarif Son of Md. Islam Resident of Village - Chhoti Bathna, P.S. - Mansahi, District - Katihar
 3. Md. Islam Son of Late Ganimat Miya Resident of Village - Chhoti Bathna, P.S. - Mansahi, District - Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bimal Kumar, Adv
For the Informant	:	Mr. Arun Kumar Mandal, Adv
For the Opposite Party/s	:	Mr. Pranav Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 24-09-2024 Heard learned counsel for the petitioners and learned A.P.P for the State.

2. The petitioners have preferred this application for grant of regular bail in connection with Mansahi P.S. Case No. 68 of 2024 dated 25.06.2024 registered for the offences punishable u/s 341, 323, 324, 347, 307, 504 read with section 34 of the Indian Penal Code.

3. As per the prosecution case, on 21.06.2024 at about 09:00 P.M. all the accused persons were forcefully constructing a Pucca building and cutting soil and tree on the aforesaid disputed land. On being objected by the informant, the



petitioner no. 3, namely, Md. Islam ordered to kill the informant and the petitioner no. 2, namely, Md. Arif caught the informant's hand and twisted the same. The co-accused Rojil assaulted the informant with iron rod on his head causing head injury due to which he fell down and soaked with blood.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. The informant is the full elder brother of the petitioner no. 3 and uncle of the petitioner no. 1 and 2 and the informant kept 0.58 decimal of the said land and other brothers have only 0.34 decimal of land and for equal share the Petitioner No. 3 and his other brothers have filed a Title Suit being Title Suit No. 176 of 2023 over the said disputed land and the learned Sub- Judge-1st Katihar passed the order to maintain a status-quo on the land in question. Both the parties have assaulted each others and the injury which is sustained by the informant is simple in nature. The petitioners have one criminal antecedent as stated in para 3 of the bail petition. The petitioners are in custody since 05.07.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners.

6. Considering the aforesaid facts and circumstances



of the case and the nature of allegation levelled against the petitioners as well as the period of custody, the petitioners above-named, are directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Katihar in connection with Mansahi P.S. Case No. 68 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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