

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70887 of 2024

Arising Out of PS. Case No.-369 Year-2022 Thana- MAHISHI District- Saharsa

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1. Md. Hannan @ Dhanna S/o Late Md. Garibullah RESIDENT OF VILLAGE- ARAGHAT, P.S.- MAHISHI, DISTT. - SAHARSA
 2. Mohmooda Khatoon W/o Md. Hannan @ Dhana RESIDENT OF VILLAGE- ARAGHAT, P.S.- MAHISHI, DISTT. - SAHARSA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha

For the Opposite Party/s : Mr. Anand Kishore Choudhary

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 22-10-2024 Heard the parties.

2. The petitioners apprehends their arrest in a case registered for the offence punishable under Sections 341, 323, 325, 307, 379, 504, 384, 34 of the Indian Penal Code.

3. As per the FIR, the petitioners and other co-accused persons surrounded the sons of the informant and brutally assaulted by means of several weapons.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is a land dispute between the parties. It is further submitted that after investigation police has submitted charge sheet



u/s 308 and other allied Sections of the IPC. Petitioners have also been granted benefit of Section 41(A) of the Cr.P.C. It is further submitted that the allegation of causing grievous injury is attributed towards the co-accused Modmeer. Petitioners have two criminal antecedent, which is mentioned in the supplementary affidavit filed on behalf of the petitioners.

5. Learned APP for the State opposed the prayer for anticipatory bail.
6. Having regard to the facts and circumstances of the case as well as considering the nature of injury, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) **each** with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Mahishi P.S. Case No.369 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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