

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64225 of 2024

Arising Out of PS. Case No.-119 Year-2024 Thana- ADAPUR District- East Champaran

1. Nasrullah Miyan @ Narsullah Miyan Son of Gobri Miya Resident of Village- Dhab Dhabwa, PO - PS- Adapur, Distt.- East Champaran
2. Gani Miyan Son of Jakir Miyan Resident of Village- Dhab Dhabwa, PO - PS- Adapur, Distt.- East Champaran
3. Abdul Miyan @ Abdul Alam Son of Jakir Miyan Resident of Village- Dhab Dhabwa, PO - PS- Adapur, Distt.- East Champaran
4. Meraj Miyan @ Meraj Alam Son of Jakir Miyan Resident of Village- Dhab Dhabwa, PO - PS- Adapur, Distt.- East Champaran
5. Sabir Alam @ Sabir Ali Son of Nasrullah Miyan @ Narsullah Miyan Resident of Village- Dhab Dhabwa, PO - PS- Adapur, Distt.- East Champaran
6. Asik Miyan Son of Narsullah Miyan @ Nasrullah Miya Resident of Village- Dhab Dhabwa, PO - PS- Adapur, Distt.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vivekanand, Adv.
		Mr. Pravin Kumar, Adv.
For the Opposite Party/s :		Mr. Shahabuddin Azeem @ S. Azeem, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 16-12-2024 Heard Mr. Vivekanand, learned counsel for the petitioners and Mr. Shahabuddin Azeem @ S. Azeem, learned APP for the State.

2. The petitioners apprehend their arrest in connection with Adapur P.S. Case No. 119 of 2024 dated 02.04.2024 registered for the offences punishable under sections 447, 448, 323, 324, 379, 427, 435, 436 and 504 read with section 34 of the Indian Penal Code.



3. The main submissions advanced by learned counsel appearing for the petitioners are that in between both the parties there was admittedly a land dispute at the relevant time of the alleged occurrence, there is case and counter case in between them and the allegation as to setting the informant's house or shop on fire is completely false as during investigation some material witnesses stated that some garbage was collected near the house of the prosecution party and the same was set on fire, though four persons are said to have sustained injury in the alleged occurrence but their injuries were found in the nature of headache, pain, swelling and abrasion.

4. Learned APP appearing for the State has opposed the bail prayer of the petitioners.

5. Considering the facts and circumstances of this case and mainly the nature of injuries sustained by so-called injured persons, and also, the land dispute running in between both the parties at the relevant time of the alleged occurrence and there is case and counter case in between them, in my opinion, it is a fit case to grant the relief of anticipatory bail to the petitioners. Accordingly, let the petitioners named-above, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on



anticipatory bail on furnishing bail bond of Rs. 20,000/-
(Rupees Twenty Thousand) each with two sureties of the like
amount each to the satisfaction of the Court concerned in
connection with Adapur P.S. Case No. 119 of 2024, subject to
the conditions as laid down under Section 438(2) of the Cr.P.C.

(Shailendra Singh, J)

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