

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66266 of 2024

Arising Out of PS. Case No.-66 Year-2024 Thana- CHANDRADIP District- Jamui

1. Md. Abdul Rahman @ Md. Abdur Rahman @ Abdul Rahman Son of Late Md. Quaisar Alam Resident of Village- Kaitha, P.S. -Chandradeep, District- Jamui
2. Md. Aatur Rahman @ Luzain @ Badku @ Md. Luzain Son of Late Md. Quaisar Alam Resident of Village- Kaitha, P.S. -Chandradeep, District- Jamui
3. Md. Rijaur Rahman @ Sheesh @ Chotku @ Md. Sheesh Son of Late Md. Quaisar Alam Resident of Village- Kaitha, P.S. -Chandradeep, District- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manmohan Kumar, Advocate
For the Opposite Party/s : Mr. Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 13-09-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with Chandradeep P.S. Case No. 66 of 2024 dated 06.04.2024 instituted for the offence punishable under Sections 147, 148, 149, 341, 323, 324, 307, 506 of the Indian Penal Code and Section 27 of the Arms Act.

3. The prosecution case, in short, is that on the alleged date and time of occurrence, the petitioners along with other accused persons, armed with various weapons, came at the spot and started assaulting the informant and his family members.



Allegation against petitioner no. 1 is that he along with other accused persons assaulted the informant by the butt of the pistol, iron rod and sword, due to which he sustained injury in his head. Allegation against the petitioner nos. 2 & 3 is that they along with other accused persons made firing in the air and assaulted the uncles of the informant by sword and iron rod, due to which they sustained grievous injury on several parts of their body.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. It is further submitted that the F.I.R. has been lodged against 18 named and 10 unknown accused persons. There is no specific allegation against the petitioners, rather the allegation against the petitioners are general and omnibus. On account of land dispute between the parties, the petitioners have been implicated in this false case. Learned counsel for the petitioners further submits that similarly situated co-accused persons have been granted anticipatory bail vide order dated 28.08.2024 passed by this Court in Criminal Miscellaneous No. 53921 of 2024 and Criminal Miscellaneous No. 55122 of 2024. Lastly, it has been submitted that petitioner no. 1 has two criminal cases against him while petitioner nos. 2 & 3 have no criminal antecedents.

5. On the other hand, learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioners.



6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioners within a period of six weeks from today, in connection with Chandradeep P.S. Case No. 66 of 2024, they will be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate- I, Jamui, subject to condition as laid down under Section 438(2) of the Cr.P.C.,

(Khatim Reza, J)

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