

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68648 of 2023

Arising Out of PS. Case No.-319 Year-2023 Thana- MADHEPURA District- Madhepura

1. MD. JAMSHED Son of Md. Atabul @ Atabul R/o vill - Bhirkhi, ward no. 6, P.S. - Madhepura, Distt. - Madhepura
2. Md. Israfil Son of Md. Atabul @ Atabul R/o vill - Bhirkhi, ward no. 6, P.S. - Madhepura, Distt. - Madhepura
3. Md. Ashique Son of Md. Salauddin @ Salauddin R/o vill - Bhirkhi, ward no. 6, P.S. - Madhepura, Distt. - Madhepura
4. Md. Shamsar Son of Atabul Mian @ Ataul Mian R/o vill - Bhirkhi, ward no. 6, P.S. - Madhepura, Distt. - Madhepura

... .. Petitioner/s

Versus

THE STATE OF BIHAR PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Nafisuzzoha, Adjv.
For the Opposite Party/s	:	Mr. Shyam Kumar Singh, APP
For informant	:	Mr. Munish Om Prakash Singh, Mr. Mrityunjay Kumar, Advocates.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 09-04-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 325, 307, 379, 504 and 506 of the Indian Penal Code.

3. As per the prosecution case, petitioners, due to alleged land dispute, assaulted the informant and his family members by means of iron rod, dabiya, knife causing injury to the prosecution party and also Rs. 80,000/- has been snatched



from the informant.

4. Learned counsel for the petitioner submits the petitioners have falsely been implicated in the case. Petitioners have got no criminal antecedents. Learned counsel further submits that there is case and counter case between the parties. The injuries caused to the informant and his son were found to be simple in nature except the injury no.(iii) found on the informant's son, Kashyap Kumar, is grievous in nature and the said injury was caused by means of iron rod assaulted by the petitioner no.3, Md. Ashique.

5. Learned APP for the State opposes prayer for anticipatory bail.

6. Considering the nature of injury caused to the son of informant by petitioner no.3, Md. Ashique, the prayer for anticipatory bail of petitioner no. 3 stands dismissed.

7. So far as prayer for anticipatory bail of petitioners no. 1, 2 and 4, are concerned, considering the facts and circumstances of the case and there being no specific allegation against them, let the petitioners no. 1, MD. JAMSHED 2, MD. ISRAFIL AND 4, MD. SHAMSER be released on bail, in the event of his 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 CJM, Madhepura where the case is pending/successor Court in connection with Madhepura P.S. Case No. 319 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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