

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69787 of 2024

Arising Out of PS. Case No.-351 Year-2024 Thana- ARARIA District- Araria

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1. Suleman Son Of Jumar Jee @ Jumakhtee @ Jumar Jee Miya Village- Ajam Nagar, Ward No.03 P.S-Araria, District-Araria
 2. Azad @ Md Azad Son Of Suleman Village- Ajam Nagar, Ward No.03 P.S-Araria, District-Araria
 3. Saddam @ Md Saddam Son Of Suleman Village- Ajam Nagar, Ward No.03 P.S-Araria, District-Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Gopal Kumar Jha, Adv.
For the Informant	:	Mr. Madhav Jha, Adv.
For the State	:	Mr. Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-10-2024 Heard learned counsel for the petitioners, informant and learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 341, 323, 324, 307, 427, 354, 34 of the Indian Penal Code.

3. Petitioners along with other accused persons are said to have assaulted the informant and his family members.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case due to land dispute. He submits that the petitioners and informant are agnates. He submits that there is no specific overt act against the petitioners. He further submits that petitioners have no criminal antecedent as stated in para-3 of the bail application.



5. Learned APP for the State and informant oppose the prayer for bail and submit that there is specific allegation against the petitioner no. 1 to assault the informant on his head with a dabia.

6. Considering the facts and circumstances of the case and the fact that there is no specific overt act against the petitioner nos. 2 and 3, let the above named petitioner nos. 2 and 3 in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail 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 Araria P.S. Case No. 351 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

7. So far as petitioner no. 1 is concerned, there is specific overt act against him, I am not inclined to enlarge the petitioner no. 1 on bail. Accordingly, his prayer for anticipatory bail is rejected in connection with the aforesaid case.

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(Anjani Kumar Sharan, J)

