

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70125 of 2024

Arising Out of PS. Case No.-468 Year-2023 Thana- CHHATAPUR District- Supaul

1. Md. TANVIR @ TANVIR S/o Md. Ahsan R/o Village- Mohanpur, Katahara, P.S.- Chhatapur, District- Supaul
2. Md. Gunsher @ Md. Gulshed Alam @ Gulsed Alam @ Gulsed S/o Md. Kasim R/o Village- Mohanpur, Katahara, P.S.- Chhatapur, District- Supaul
3. Md. Shamner @ Md. Samser Alam S/o Md. Kasim R/o Village- Mohanpur, Katahara, P.S.- Chhatapur, District- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nafisu Zzoha

For the Opposite Party/s : Mr. Surendra Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 18-12-2024 1. 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 offence punishable under Sections 341, 323, 324, 354(A), 307, 504, 506 and 34 of the Indian Penal Code.

3. Learned counsel for the petitioners submits that petitioner no.1 is a person with clean antecedent and the petitioner no.2 and 3 have antecedent of one case and the informant alleges that named accused persons along with 10 unknown accused came and started abusing, on protest, Md. Ahsan ordered to kill, on which, all the accused started



assaulting him by sword and rod, thereafter, Jamshed and Gulsher tore clothes of his wife, further Md. Mosim along with Md. Wahaf assaulted Arshad by sword and lathi, thereafter Tanvir assaulted the informant by sword causing injury on head. It is next alleged that the reason for the occurrence is land dispute.

4. Learned counsel for the petitioner submits that on account of dispute relating to land, an altercation had taken place, in which, both side assaulted each other. It is next submitted that no doubt it is alleged that Tanvir assaulted the informant by a sword causing injury on head but then the injury suffered by the informant is simple in nature. It is next submitted that as far as allegation of tearing clothes of the wife of the informant is alleged, the same is alleged against Jamshed and Gulsher but then the same has been alleged only with a view to give seriousness to the case. It is next submitted that the allegation against Md. Samser is general and omnibus in nature.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, 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 bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned trial court where the case is pending/successor court in connection with Chhatapur P.S. Case No.468/2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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