

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70848 of 2023

Arising Out of PS. Case No.-115 Year-2023 Thana- CHHATAPUR District- Supaul

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1. Md. Azad Son Of Late Md. Rahaman R/O Village - Pratap Nagar, Ward No.10, P.S.- Chhatapur, District- Supaul
 2. Md. Eklakh @ Md. Akhlak Son Of Late Md. Rahaman R/O Village - Pratap Nagar, Ward No.10, P.S.- Chhatapur, District- Supaul
 3. Md. Noushad Son Of Late Md. Rahaman R/O Village - Pratap Nagar, Ward No.10, P.S.- Chhatapur, District- Supaul

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rupa Kumari
For the Opposite Party/s : Mr.Shantanu Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 05-02-2024 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners are apprehending his arrest in a case registered for the offence punishable under Sections 341, 323, 324, 325, 354, 307, 379, 427, 504, 506/34 of the Indian Penal Code.

3. Petitioners are said to have assaulted the informant and her husband by means of iron rod.

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 there is no specific



overt act against the petitioner nos. 1 and 3. He submits that though there is allegation against the petitioner no. 1 who gave farsa blow on the head of the husband of the informant, but the doctor did not found any sharp cut injury on the head of the husband of the informant. He further submits that petitioners have no criminal antecedent as stated in para-3 of the bail application.

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

6. Considering the facts and circumstances of the case and the fact that there is no specific overt act against the petitioner nos. 1 and 3, let the above named petitioner nos. 1 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 Chhatapur P.S. Case No. 115 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

7. So far as petitioner no. 2 is concerned, there is specific allegation against him, I am not inclined to enlarge the



petitioner no. 2 on bail. Accordingly, his prayer for anticipatory
bail is rejected in connection with the aforesaid case.

(Anjani Kumar Sharan, J)

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