

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78409 of 2023

Arising Out of PS. Case No.-746 Year-2020 Thana- MAJHAULIA District- West Champaran

1. Fakiuddin @ Faquiuddin Pappu @ Fakruddin @ Pappu Son Of Badrul Hassan Resident Of Village - Bhogari, P.S. - Majhauriya, District - West Champaran
2. Haider Ali @ Md. Haider Ali Son Of Asrarul Haque Resident Of Village - Bhogari, P.S. - Majhauriya, District - West Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Mahtab Alam
For the Opposite Party/s :	Mr.Arun Kumar Pandey
For the Informant	Mr. Ram Adya Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 24-01-2024 Heard learned counsel for the petitioners, learned counsel for the informant and learned APP for the State.

2. The petitioners have prayed for bail in a case registered for the offence punishable under sections 147, 148, 149, 447, 341, 323, 324, 337, 338, 307, 427, 504 and 506 of the Indian Penal Code and section 27 of the Arms Act.

3. As per allegation in the FIR, over a trivial dispute in respect of flowing of drain water in front of the house of the informant by the accused persons, an scuffle took place. Petitioner no. 1 caused injury to Aainyl Hasan and petitioner no. 2 caused injury to Hasan Jan.

4. It is submitted by learned counsel for the petitioners that petitioners have been falsely implicated in this case due to



land dispute. The alleged occurrence took place at the spur of moment. There is case and counter case. In the alleged free-fight, members of both sides have received injury. As per injury report of both the injured, they have received simple injury. Petitioners are languishing in judicial custody since 4.10.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail **after framing of charge** on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned CJM, West Champaran at Bettiah at West Champaran in connection with Majhauriya P.S. Case No. 746 of 2020.

(Sunil Kumar Panwar, J)

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