

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77345 of 2023

Arising Out of PS. Case No.-239 Year-2023 Thana- KUCHAIKOTE District- Gopalganj

1. Sakil Saifi @ Sakil Ahamad Son Of Islam Mian Resident Of Village- Rampur Bhaisahi, Ps- Kuchaikote, Distt- Gopalganj
2. Hasmuddin Saifi @ Md. Masmudin Son Of Hadish Mian Resident Of Village- Rampur Bhaisahi, Ps- Kuchaikote, Distt- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Indrajeet Bhushan, Adv.

For the Opposite Party/s : Mr.Arun Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 09-01-2024 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in a case in connection with Kuchaikote P.S. Case No. 239 of 2023 dated 21.05.2023 registered for the offences punishable u/ss 341, 323, 324, 307, 504 read with section 34 of the Indian Penal Code.

3. As per the prosecution case, when the informant was cooking food in her house then the petitioner and the co-accused persons are alleged to have entered the house of the informant and began hurling abuse to her. On being objected by the informant, the accused persons assaulted the informant with



fists and slaps. When Rubaida Khatoon came to rescue her then the petitioner Hasmuddin Saifi assaulted her with iron rod causing head injury. The co-accused Muslim Mian assaulted Amarsan Khatoon with rod causing hand injury. When Madina Khatoon came to rescue then the petitioner Sakil Saifi assaulted on her head and back causing injury. Thereafter, the injured was taken to the hospital for treatment.

4. Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case. It is further submitted that the petitioners and the informant are agnates and co-villagers and there is land dispute between the parties. There is a case and counter case between the parties. Learned counsel has further submitted that the petitioners have no concern with the alleged offence. As per injury report of the injured, the injuries are simple in nature. There is no intention to kill. The petitioners have no criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners.

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation against the petitioners, let the above named petitioners, in the event of their



arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned court concerned, Gopalganj in connection with Kuchaikote P.S. Case No. 239 of 2023, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

7. This application stands allowed.

(Chandra Prakash Singh, J)

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