

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81681 of 2024

Arising Out of PS. Case No.-257 Year-2024 Thana- TURKAULIYA District- East
Champaran

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1. Aashik Alam @ Md. Aashik Son of Mannan Miyan @ Mannan Alam R/O- Vill- Chargaaha, P.S- Turkauliya, Distt- Motihari
 2. Mannan Miyan @ Mannan Alam Son of Late Sanaullah Miyan R/O- Vill- Chargaaha, P.S- Turkauliya, Distt- Motihari
 3. Badal Alam @ Md. Badal Son of Mannan Miyan @ Mannan Alam R/O- Vill- Chargaaha, P.S- Turkauliya, Distt- Motihari
 4. Munna Alam @ Isuf Miyan Son of Mannan Miyan @ Mannan Alam R/O- Vill- Chargaaha, P.S- Turkauliya, Distt- Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mohammad Farroq, Advocate
For the Opposite Party/s : Mr. Anuj Kumar Shrivastava, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 12-12-2024 Heard learned Counsel for the petitioners and learned
APP for the State.

2. Learned counsel for the petitioners seeks permission to delete paragraph no. 09 of this application on the ground that inadvertently in the paragraph no. 09, the fact of another case has been typed.

3. Permission is granted.

4. Let the paragraph no. 09 be treated as deleted.

5. This application, for grant of anticipatory bail, arises out of Turkauliya P.S. Case No. 257 of 2024, disclosing



offences punishable under Sections 341, 323, 354(B), 307, 427, 448, 506 and Section 34 of the Indian Penal Code.

6. The prosecution story, as per the First Information Report, is that on 14.05.2024, in the night, when the informant was sleeping in her house along with her daughter, the petitioners, along with other accused persons, variously armed, entered into the informant's house. Petitioner no. 1 ordered to assault the informant then petitioners started assaulting the informant with iron rod. When informant's daughter intervened to save her, petitioner no. 4 assaulted her with *Tanguli* on her head and petitioner no. 3 assaulted the son and daughter of the informant with lathi.

7. Learned Counsel for the petitioners submits that there is two days delay in lodging the F.I.R. inasmuch as occurrence has taken place on 14.05.2024 and the F.I.R. has been lodged on 16.05.2024 based on written report. He further submits that both the parties are next door neighbours and occurrence has taken place due to altercation between children of both the parties. He next submits that the injuries caused to the informant are simple in nature, whereas, the injury caused to the informant has been kept reserved, but from perusal of the injury report annexed at Annexure P/2, it appears that injury is



not serious in nature.

8. Regards being had to the submissions made on behalf of the parties and taking into consideration the fact that both the parties are neighbors and the dispute between them took place due to trivial issue and injuies caused to the victims are simple in nature, I am inclined to grant the privilege of anticipatory bail to the petitioners.

9. This application is, accordingly, allowed.

10. Let petitioners, above named, in the event of their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate VI, Motihari in connection with Turkauliya P.S. Case No. 257 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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