

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 80432 of 2024

Arising Out of PS. Case No.-141 Year-2024 Thana- JHANJHARPUR District- Madhubani

1. Idmohammad @ Eid Mohammad Son of Md. Jilani Resident of Bela Pamariya Tola, Ward No. 9, P.S.- Jainagar, Distt.- Madhubani
2. Md. Murtuja Son of Md. Mustaq Resident of Bela Pamariya Tola, Ward No. 9, P.S.- Jainagar, Distt.- Madhubani
3. Md. Mukhtar Son of Md. Mustaq Pamariya @ Md. Mustaq Resident of Bela Pamariya Tola, Ward No. 9, P.S.- Jainagar, Distt.- Madhubani
4. Md. Aftar Son of Md. Mustaq Pamariya @ Md. Mustaq Resident of Bela Pamariya Tola, Ward No. 9, P.S.- Jainagar, Distt.- Madhubani
5. Md. Jilani Pamariya Son of Md. Ramzan Pamariya Resident of Bela Pamariya Tola, Ward No. 9, P.S.- Jainagar, Distt.- Madhubani
6. Md. Mustaque Pamariya Son of Late Md. Ramzan Pamariya Resident of Bela Pamariya Tola, Ward No. 9, P.S.- Jainagar, Distt.- Madhubani
7. Lali Khatoon Wife of Khalil Pamariya Resident of Village -Godhanpur, PS- Jhanjharpur, Distt.- Madhubani
8. Md. Shamim @ Shamim Wife of Md. Khalil @ Md. Khalil Pamariya Resident of Village -Godhanpur, PS- Jhanjharpur, Distt.- Madhubani
9. Md. Amin Son of Md. Khalil @ Md. Khalil Pamariya Resident of Village -Godhanpur, PS- Jhanjharpur, Distt.- Madhubani
10. Md. Arman Son of Amin Pamariya Resident of Village -Godhanpur, PS- Jhanjharpur, Distt.- Madhubani

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sandeep Jha, Advocate.
For the Opposite Party/s : Mr. Zainul Abedin, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 09-12-2024 Heard learned Counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail,
arises out of Jhanjharpur Police Station Case No. 141 of 2024,



dated 20.08.2024, disclosing offences under Sections 191(2), 191(3), 190, 126(2), 115(2), 118(1), 109, 303(2) and 352 of B.N.S.

3. The prosecution case, as per the First Information Report, is that on 20.08.2024 while the informant's son had gone to nearby tea stall, the petitioners and other accused persons abused him and assaulted him by means of Iron Katta i.e., sharp edged weapons and when the informant intervened, the other petitioners Lali Khatoon, Md. Shamim and Md. Amin assaulted him, his son-in-law and daughter-in-law.

4. Learned Counsel for the petitioners submits that entire family of the petitioners have been made accused due to land dispute between the parties, which would be evident from the F.I.R. itself. He further submits that the injury caused to the informant though have been described as grievous in nature having fracture of lower 3rd of right ulna but it is not a vital part of the body. Injury caused to the other two victims has been discussed in the impugned order but from perusal of the description of the injury mentioned in the order, it appears that the same is not serious in nature.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that general



and omnibus allegation has been leveled against the petitioners and the occurrence has taken place due to land dispute between the parties and the grievous injury caused to the informant are not on the vital part of the body, I am inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let the 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 bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Jhanjharpur, District-Madhubani in connection with Jhanjharpur Police Station Case No. 141 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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