

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81539 of 2023

Arising Out of PS. Case No.-533 Year-2023 Thana- MOTIHARI TOWN District- East
Champaran

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1. Syed Iftekhar Ahmad @ Saheb Son Of Late Jafar Hasnain R/O Village-
Teliyapatti Ranikothi, P.S.- Town, Dist.- East Champaran
 2. Syed Sadman @ Sadman @ Shadman Son Of Syed Iftekhar Ahmad @
Saheb R/O Village- Teliyapatti Ranikothi, P.S.- Town, Dist.- East
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shrishti Singh

For the Opposite Party/s : Mr. Gauri Shankar Gupta

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 05-03-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest in connection
with Town P.S. Case No. 533 of 2023 registered for the offence
punishable under Sections-447, 341, 323, 324, 307, 384, 427,
504, 506, 34, 120B of the Indian Penal Code and 27 of the Arms
Act.

3. Prosecution case in short is that while the informant
was constructing building for market, all the FIR named accused
persons and 100 unknown persons having armed in their hands
came on vehicles and started indiscriminate firing. Accused



Mokhtar Mian is alleged to have fired upon Gopi Rai. When Raj Mohammad raised objection, he was given Katar blow, due to which, he sustained injury.

4. It has been submitted on behalf of the petitioners that due to a family feud between the agnates, the petitioners have falsely been implicated in the present case. The petitioner No. 1 is uncle whereas petitioner No. 2 is cousin of the informant. Admittedly, there is land dispute between the parties. Learned counsel has further submitted that though there is allegation of firing but none has suffered any kind of fire-arm injury. The injuries suffered by injured persons are caused by hard and blunt substances and, are simple in nature. It has also been submitted that on similar footing, co-accused Raju Mishra and Mukhtar Mian have already been granted anticipatory bail by a co-ordinate bench of this court by order dated 28-11-2023 passed in Cr. Misc. No. 71561 of 2023.

5. Learned APP appearing for the State opposed the prayer for grant of anticipatory bail.

6. Considering the above-mentioned facts and circumstances of the case, let the petitioners named above, in the event of their arrest or surrender within a period of 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 Chief Judicial Magistrate, East Champaran, Motihari in connection with Town P.S. Case No. 533 of 2023 subject to the conditions as laid down under Section 438 of the Cr.P.C.

(Nawneet Kumar Pandey, J)

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