

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83148 of 2023

Arising Out of PS. Case No.-102 Year-2023 Thana- BALRAMPUR District- Katihar

1. ABDUL RAHMAN S/O MD. SHAMSHAD ALAM VILLAGE-BAGDOGRA,PS. BALRAMPUR, DIST. KATIHAR.
2. SHAMSHAD ALAM S/O LATE MAINUDDIN VILLAGE-BAGDOGRA,PS. BALRAMPUR, DIST. KATIHAR.
3. NIYAMAD @ MD. NIZAMAT S/O LATE NAUSHAD VILLAGE-BAGDOGRA,PS. BALRAMPUR, DIST. KATIHAR.
4. AHMED S/O LATE NAUSHAD VILLAGE- BAGDOGRA,PS. BALRAMPUR, DIST. KATIHAR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Mazher Alam, Adv.
For the Opposite Party/s	:	Mr.Surendra Kumar, APP
For the Informant	:	Mr.Jitendra Kumar Pandey, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 08-01-2024 Heard learned counsel for the petitioners, learned counsel for the informant and learned APP for the State.

2. The petitioners apprehend their arrest in a case registered for the offence punishable u/s 323, 341, 324, 307, 504, 506/34 of the IPC.

3. As per the prosecution case, the F.I.R. named accused persons including the petitioners abused the informant and her family members and they left their cattle in the field of the informant due to which, her crops were destroyed. On objection, they attacked the informant's family.

4. It is submitted by learned counsel for the petitioners that



petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case due to ulterior motive. There is case and counter-case between the parties and both sides have sustained grievous injury. There is a land dispute between the parties, for which, a Title suit is going on. Petitioners have no criminal antecedent.

5. Learned APP for the State as well as learned counsel for the informant opposed the prayer for bail by submitting that it is not a fit case for grant of anticipatory bail because the informant and her family members have sustained grievous injury.

6. Having regard to the facts and circumstances of the case, since both sides have sustained grievous injury, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Balrampur P.S. Case No.102 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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