

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5337 of 2024

Arising Out of PS. Case No.-102 Year-2020 Thana- RAHIKA District- Madhubani

1. Badrujama Son of Late Yakeem Residents of Village- Balat, P.S.- Rahika, District- Madhubani
2. Md. Jalal @ Jon Son of Badrujaama Residents of Village- Balat, P.S.- Rahika, District- Madhubani
3. Md. Rikki Son of Badrujaama Residents of Village- Balat, P.S.- Rahika, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar
For the Opposite Party/s : Mr. Bharat Lal

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 22-02-2024 Heard learned counsel for the petitioners and learned A.P.P.
for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 143, 341, 323, 504 & 325 and 307 of the Indian Penal Code.

3. All the accused persons named in the F.I.R. including these petitioners having with deadly weapons came to the informant and assaulted him and others by their respective arms.

4. It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case. The allegation levelled



against the petitioners is not specific rather general and omnibus in nature. It is further submitted that both the parties are full brother and co-sharer of a joint pond and regarding the ownership of said pond some dispute arose between the parties resulting into the present occurrence. Moreover, the parties have settled the dispute and filed compromise petition in the learned Court below vide Annexure-2 to this application. It is further submitted that the injury sustained by the victim is simple in nature. Similarly situated co-accused, namely, Safuijama @ Safi Ahmad and others have been enlarged on anticipatory bail by this Court vide order dated 20.12.2022 passed in Cr. Misc. No.56773 of 2022. Petitioners have one criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case as well as the fact that the matter has already been compromised between the parties and similarly situated co-accused have been enlarged on anticipatory bail by this Court, 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 lower Court
where the case is pending/successor Court in connection with
Rahika P.S. Case No.102 of 2020, subject to the condition as
laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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