

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7659 of 2025

Arising Out of PS. Case No.-358 Year-2021 Thana- BARHARIA District- Siwan

1. Laila Khatoon W/o Abdul Qais R/o vill - Halim Tola, P.S.- Barharia, Distt.- Siwan
2. Runa Khatoon W/o Bachha Mian R/o vill - Halim Tola, P.S.- Barharia, Distt.- Siwan
3. Sudwa S/o Bachha Mian R/o vill - Halim Tola, P.S.- Barharia, Distt.- Siwan
4. Zishan @ Abdullah S/o Abdul Qais R/o vill - Halim Tola, P.S.- Barharia, Distt.- Siwan

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh
For the Opposite Party/s : Mr.Madhuri Lata

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 13-05-2025 1. Heard the parties.

2. The petitioners apprehend their arrest in connection with Barharia P.S. Case No. 358 / 2021 dated 03.11.2021 registered under Sections 147, 148, 149, 448, 323, 325 and 307 of the I.P.C.

3. As per the first information report on 03.11.2021 while the informant was sitting with his family members and were taking snacks at about 8 a.m. the petitioners alongwith eight named and ten unknown persons having lathi, rod, bricks in their hands entered into the informant's house, attacked him and his family members due to which Md. Numan Haisder and Md. Khalid



Haider sustained grievous head injury.

4. Learned counsel for the petitioners submits that petitioners have not committed any offence in the manner alleged and they have been made accused on the basis of general and omnibus allegation. Both the parties are co-sharer and there are several cases filed by the informant and his son against the petitioner no. 1 and 2 and other family members also. There is long standing land dispute between the parties. The police after investigation exonerated the petitioners but the learned Magistrate has differed with the police report and has taken cognizance against the petitioners under section 307 and other sections of the I.P.C. The injury sustained by the victims are simple in nature.

5. Regard being had to the submission made by the parties, taking into consideration the fact that both the parties are co-sharers having land dispute, the injury sustained by the victims is simple in nature, police after investigation submitted final form not sending the petitioners for trial, as such, I am inclined to grant anticipatory bail to the petitioners.

6. Let the petitioners, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on



furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of A.C.J.M. III Siwan in connection with Barharia P.S. Case No. 358 / 2021 subject to the condition as laid down under Section 482 (2) of the B.N.S.S. 2023.

(Anil Kumar Sinha, J)

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