

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12310 of 2025

Arising Out of PS. Case No.-103 Year-2024 Thana- JALALGARH District- Purnia

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1. Jahagir Nadaf @ Jahangir Nadaf S/o Sattu Nadaf R/o vill - Katheli, P.S.- Jalalgarh, Distt.- Purnea
 2. Kayyum Nadaf S/o Late Palauddi Nadaf R/o vill - Katheli, P.S.- Jalalgarh, Distt.- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Manish Kumar, Advocate
For the State	:	Mr. Nawal Kishore Prasad, APP
For the Informant	:	Mr. Raj Kishore Prasad, Advocate

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 21-04-2025 Heard Mr. Manish Kumar, learned counsel for the

Petitioners and Mr. Nawal Kishore Prasad, learned APP for the

State.

2. At the outset, learned advocate, Mr. Raj Kishore Prasad, submits that he has filed *vakalatnama* on behalf of the informant through online mode and seeks permission to file its hard copy before this Court.

3. Permission as sought above is granted.

4. Let the hard copy of the *vakalatnama* be kept on the record.

5. The petitioners apprehend their arrest in connection with Jalalgarh P.S. Case No. 103 of 2024 dated 21.07.2024 registered for the offences punishable under Sections 126(2),



115(2), 109, 329(4), 303(2), 324(4), 351(2), 342 and 3(5) of the Bharatiya Nyaya Sanhita (in short 'B.N.S.').

6. The main submissions advanced by petitioners' counsel are that the FIR has been registered against twenty persons, including the petitioners. As per prosecution, there are three injured persons in the present matter, it is alleged that the petitioners assaulted at the informant's husband on head with stone and a copy of his injury report has been filed as Annexure-2 which shows that he sustained only one injury being an abrasion and swelling over left upper raw cervical, though the same has been opined to be grievous in nature but both the petitioners are not alleged to have assaulted on cervical region of the said injured and altogether twenty persons have been shown by the informant to be involved in the alleged occurrence of *marpit*. It is further submitted that there is case and counter case in between both the parties and a land dispute is running in between them.

7. On the other hand, Mr. Raj Kishore Prasad, learned counsel appearing for the informant submits that the accused persons including the petitioners are alleged to have assaulted the prosecution party in connection with the land dispute and they have been exerting pressure on them to vacate the land in question and there is serious allegation against the petitioner and



informant’s husband sustained grievous injury on his vital part of body (cervical region).

8. Considering the aforesaid submissions as well as the facts and circumstances of the case and primarily the fact that twenty persons including the petitioners have been named in the FIR and admittedly, there is land dispute between both the parties and both the sides have lodged case against each other, coupled with this fact that both the petitioners were alleged to have assaulted at the head of the informant’s husband with stone but there is no corresponding injury to the said allegation, this Court is inclined to grant the relief of anticipatory bail to the petitioners. Accordingly, let the petitioners named-above, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of the Court concerned in connection with Jalalgarh P.S. Case No. 103 of 2024, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

(Shailendra Singh, J)

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