

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71667 of 2024

Arising Out of PS. Case No.-71 Year-2024 Thana- KISHANPUR District- Supaul

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1. Md. Obaidullah @ Abaidullah @ Obaidullah S/O Late Yahiya @ Md. Yahiya Resident of village - Bhokrahi, Police Station - Kishanpur, Distt- Supaul
 2. Md. Iftekhar Ali @ Md. Iftekhar @ Iftakhar S/O Late Abdul Matin @ Late Matin Resident of village - Bhokrahi, Police Station - Kishanpur, Distt- Supaul

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Arun, Adv
		Ms. Tooba Hera, Adv
For the Opposite Party/s	:	Mr. Nand Kishore Prasad, A.P.P
For the Informant	:	Md. Ataul Haque
		Ms. Phool Jahan

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 12-05-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners are apprehending their arrest in connection with Kishanpur P.S. Case No. 71 of 2024 registered for the offences punishable under Sections 341, 323, 307, 379, 504 and 354/34 of the IPC.

3. As per prosecution case, petitioner no. 1 is said to have assaulted upon the head of informant's husband, Md. Jalal, by means of iron rod as a result of which he sustained injury on hand. Petitioner no. 2 is said to have assaulted upon the head and hand of informant's son, Sartaz Alam, by means of rod as a result of which he



sustained injury on head and left hand finger. It is further alleged that accused person concertedly assaulted informant, informant's son and daughter by means of lathi, danda and rod and started pulling hair of informant's daughter. It is further alleged that petitioner no. 2 tore cloth of the informant's daughter and other co-accused namely, Rizwana and Ladli snatched the earrings of the informant

4. Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence as alleged in the FIR and they have falsely been implicated in this case. Petitioners bears criminal antecedent of one case in which they are on bail. Learned counsel submits that occurrence took place on 10.03.2024 and FIR has been lodged on 12.03.2024 and the same is without any explanation which questions authenticity of the prosecution story. There is a case and counter case between both the parties for the same date of occurrence. Learned counsel submits that injury report indicates that injury of informant's son, Sartaz Alam, is on non-vital part of body which is fracture of left ring finger and injury sustained by informant's husband, Md. Jalal, is on non-vital part of the body and nature of injury is simple in nature as mentioned in impugned order. Learned counsel further submits that on account of previous animosity between the parties, present case has been lodged against the petitioners.

5. The learned A.P.P. for the State and learned counsel for the informant vehemently opposes the prayer for anticipatory bail



of the petitioners and it is submitted that informant's daughter has filed the case against the petitioners and on account of said reason they have entered into the house of the informant and committed the alleged occurrence.

6. Considering the facts and circumstances of the case, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioners above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M, Supaul, in connection with Kishanpur P.S. Case No. 71 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Alok Kumar Pandey, J)

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