

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73850 of 2024

Arising Out of PS. Case No.-32 Year-2024 Thana- PUWAKHALI District- Kishanganj

1. Salimuddin Son of Mohamadin Resident of Village - Telibhitta, P.S. - Powakhali, District - Kishanganj
2. Abdul Wahid Son of Salimuddin Resident of Village - Telibhitta, P.S. - Powakhali, District - Kishanganj
3. Said @ Said Alam @ Soyaid Son of Salimuddin Resident of Village - Telibhitta, P.S. - Powakhali, District - Kishanganj
4. Sarik @ Md. Sarik Alam @ Sharid Son of Salimuddin Resident of Village - Telibhitta, P.S. - Powakhali, District - Kishanganj
5. Saheba @ Saheba Praveen Daughter of Abdul Wahid Resident of Village - Telibhitta, P.S. - Powakhali, District - Kishanganj
6. Babul @ Babul Alam Son of Salimuddin Resident of Village - Telibhitta, P.S. - Powakhali, District - Kishanganj
7. Zahida Begum @ Rasheda Begum Wife of Said @ Said Alam @ Soyaid Resident of Village - Telibhitta, P.S. - Powakhali, District - Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Diwakar Sinha, Advocate.
For the State	:	Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 22-01-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The present petition has been filed on behalf of the petitioners, apprehending their arrest, in connection with Powakhali PS. Case No. 32 of 2024, registered for the offences punishable under Sections 147, 148, 341, 323, 307, 447, 448, 354, 504 and 506 of the Indian Penal Code.



3. As per allegation, the accused-petitioners had entered into the house of the informant and assaulted her and her family members causing injury to them.

4. learned counsel for the petitioners submits that the Petitioners are innocent and have falsely been implicated in this case. He further submits that on account of land dispute between the informant and the accused side, altercation took place, in which, both sides got injuries. Case and counter case have been filed by both the parties.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioners have not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the petition that the petitioners have no criminal antecedents.

7. learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, particularly case and counter case and injury from both sides, **this petition is allowed**, directing the petitioners above-named, to be enlarged on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on their



furnishing bail bonds in the sum of Rs.10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st I/C, Kishanganj/concerned court, in connection with Powakhali PS. Case No. 32 of 2024, subject to the conditions as laid down under Section 438 (2) Cr.PC and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedents, learned court below shall cancel the bail bonds of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioners.

(Jitendra Kumar, J)

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