

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.232 of 2025

Arising Out of PS. Case No.-54 Year-2024 Thana- RAUTARA District- Katihar

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1. Mahboob Alam Son of Sheikh Jauhari @ Sheikh Jahur Resident Of Sheikh Tola, Rautara, PS- Rautara, Distt.- Katihar
 2. Md. Tippu Alam Son of Sheikh Jauhari @ Sheikh Jahur Resident Of Sheikh Tola, Rautara, PS- Rautara, Distt.- Katihar
 3. Md. Ahmad Son of Mahboob Alam Resident Of Sheikh Tola, Rautara, PS- Rautara, Distt.- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Sanjay Kumar Mandal, Advocate
For the State	:	Mr. Bharat Bhushan, APP
For the Informant	:	Mr. Bipin Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 11-02-2025 Heard learned counsels for the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 341, 323, 324, 307, 325, 504 and 506 of the Indian Penal Code.

3. As per prosecution case, on 26.06.2024 at about 1 PM, while the informant was going to his field, in the meantime, all the accused persons named in the F.I.R., including these petitioners, came there and started assaulting informant and his family members. It is further alleged that Petitioner No. 1 assaulted father of informant by means of spade and Petitioner No. 3 assaulted nephew of informant by means of iron rod.



4. It is submitted by learned counsel appearing on behalf of the petitioners are innocent and have falsely been implicated in this case. As a matter of fact, due to land dispute between the parties, *maar-peet* took place. There are general and omnibus allegations against Petitioner No. 2 and doctor has found the injuries allegedly caused by Petitioner No. 3 to be simple in nature.

5. On the other hand, learned A.P.P. for the State and learned counsel appearing on behalf of the informant have vehemently opposed the prayer for grant of anticipatory bail to the petitioners and submitted that petitioners are named in the F.I.R. and there is specific accusation of assaulting father of informant against Petitioner No. 1 by means of spade. Doctor has found the injuries sustained by father of informant to be grievous in nature.

6. Considering the aforesaid facts and circumstances, direct and specific accusation of assault and nature of injuries sustained by the injured, the prayer for grant of anticipatory bail to Petitioner No. 1 is rejected.

7. So far as Petitioner Nos. 2 and 3 are concerned, considering the nature of accusation and nature of injuries caused by them, the prayer for grant of anticipatory bail



to Petitioner Nos. 2 and 3 is allowed.

8. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named Petitioner Nos. 2 and 3 be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Katihar in connection with Ratura P.S. Case No. 54 of 2024, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

9. With the aforesaid directions, this application stands disposed of.

(Prabhat Kumar Singh, J)

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