

In the court of Sessions judge, Muzaffarpur

Md. Motiur Rahman and others.....Petitioners

Vs

The State of Bihar

A.B.P. No.- 4041/2022 (BRMZ01-013223-2022)

<i>Sl .No.</i>	<i>Date of order of proceeding</i>	<i>Order with the signature of the court</i>	<i>Office action taken with date.</i>
01	27/03/2023	<i>Petitioners (1) Md. Motiur Rahman (2) Md. Saiduzama (3) Md. Asif @ Md. Asif Ali Raza (4) Md. Anwar @ Md. Anwar Ali Raza and (5) Md. Athar @ Athar Ali Raza, who are apprehending their arrest in connection with Kanti P.S. Case No. 206/2022, registered U/ss. 147, 148, 149, 323, 324, 307, 379, 504, 506 of the I.P.C. Learned lawyer appearing on behalf of the petitioners has submitted that the petitioners are quite innocent and have committed no offence. They have falsely been implicated in this case out of enmity and grudge and land dispute. There is no criminal antecedent against the petitioners and their character are very clean. One of the accused namely, Md. Zulfiqar Ali has been granted anticipatory bail by this court vide ABP No. 3174/2022 dated 15/09/2022 and the case of the petitioners stands on the same footing. Accordingly, the learned lawyer has prayed to</i>	

02	Contd. 27/03/2023 A.B.P. No.- 4041/2022	<i>enlarge the petitioners on pre-arrest bail.</i> <i>Prayer of anticipatory bail has been opposed by the learned I/c P.P. for the State.</i> <i>Having heard both the sides, I have perused the records as well as the case diary and on perusal of the same, it is evident that the petitioner has been named accused in this case, which has been registered on the basis of written complaint given by Basir Ahmad Sardar, who has alleged that demolishing of boundary wall of informant and on objection, the family inmates of informant were assaulted and sustained injuries.</i> <i>Para- 27, 28 & 29 of the case diary reflects that the injuries have been categorized as simple, witnesses examined in para-5 & 6 of the case diary have not attributed any specific overt act of the assault against the petitioners. The record reveals about a counter version bearing Kanti P.S. Case No. 209/2022 and there is land dispute between the parties. Accordingly, the petitioners in the event of their arrest or surrender in the court below within four weeks period from the date of receipt of copy of this order, are directed to be released on</i>	
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03	Contd. 27/03/2023 A.B.P. No. 4041/2022	<i>bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount to the satisfaction of the learned court below subject to conditions as laid down u/s 438(2) of the Cr.P.C.</i> <i>(Dictated)</i> Sd/-M.K. Sinha. <i>Sessions Judge, Muz.</i>	
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