

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58723 of 2019

Arising Out of PS. Case No.-225 Year-2019 Thana- FALKA District- Katihar

1. SHABBIR ALAM Son of Jamir Mansuri @ Md Jamir Resident of Village - Bharsia, Masuri Tola, P.S.- Falka, Dist.- Katihar.
2. Eftekhari Alam @ Iftekhar Ahmad Son of Shabbir Alam Resident of Village - Bharsia, Masuri Tola, P.S.- Falka, Dist.- Katihar.
3. Zafar Iqbal @ Zafar Iqbal Son of Shabbir Alam Resident of Village - Bharsia, Masuri Tola, P.S.- Falka, Dist.- Katihar.
4. Md. Israfil Mansuri @ Lauka @ Md.Ishrafil Son of Md. Wasir Mansuri Resident of Village - Bharsia, Masuri Tola, P.S.- Falka, Dist.- Katihar.
5. Shamad Mansuri @ Shamshad Mansuri @ Samshad Son of Md. Israfil Mansuri @ Lauka Resident of Village - Bharsia, Masuri Tola, P.S.- Falka, Dist.- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Swapnil Kumar Singh
For the Opposite Party/s : Mr.Syed Ehteshamuddin

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 17-09-2019 Heard learned Counsel for the petitioners and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Falka Police Station Case No. 225 of 2019, disclosing offences under Sections 341/323/324/307/379/504/506/34 of the Indian Penal Code.

The allegation against the petitioners is that the petitioners, along with other co-accused persons, assaulted the informant by means of sharp cutting weapon on his head.



Learned Counsel for the petitioners submits that the petitioners have falsely been implicated in this case due to the dispute between the parties relating to passing of electricity wire from the roof of the house of petitioner no. 1. He further submits that there is general and omnibus allegation against the petitioners and only specific allegation of assault is against petitioner no. 1. He, relying on impugned order, submits that from perusal of the same, it appears that injury caused to the informant is simple in nature. He next submits that similarly situated co-accused persons have been granted anticipatory bail by this Court by order, dated 29.08.2019, passed in Criminal Misc. No. 54655 of 2019.

Having regard to the submissions made on behalf of the parties and taking into consideration the fact that similarly situated co-accused persons have been granted anticipatory bail by this Court and injury caused to the informant has been found to be simple in nature, I am inclined to grant the petitioners privilege of anticipatory bail.

This application is, accordingly, allowed.

Let the petitioners, above named in the event of their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten



thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-V, Katihar, in connection with Falka Police Station Case No. 225 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

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