

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54655 of 2019

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

1. Usman Mansuri @ Md Usman @ Usman Mansuri, S/o Khalil Mansuri R/o village- Baluchak, Jhagruchak, P.S.- Falka, District- katihar
2. Alam Mansuri @ Md Aal Mansuri, S/o Khalil Mansuri R/o village- Baluchak, Jhagruchak, P.S.- Falka, District- katihar
3. Rafique Mansoori @ Md. Rafique Mansuri @ Rafik Mansuri, S/o Khalil Mansuri R/o village- Baluchak, Jhagruchak, P.S.- Falka, District- Katihar
4. Md. Guddu, S/o Jamir Alam R/o village- Musapur, P.S.- Falka, District- 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 29-08-2019 Heard learned counsel for the petitioners and learned counsel appearing on behalf of the State.

Petitioners apprehend their arrest in connection with Falka P.S. Case No.225 of 2019 for the offence punishable under Sections 341, 323, 324, 307, 379, 504, 506, 34 of the Indian Penal Code.

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

Learned counsel for the petitioners submits that



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 co-accused, Shabir Alam. Learned counsel further submits that there is general and omnibus allegation against the petitioners in the First Information Report and subsequently, allegation of assault is upon co-accused, Md. Shabir Alam. Learned counsel further submits that there is case and counter case and the side of the petitioners have lodged complaint case bearing No.81 of 2019 dated 09.01.2019, Annexure-3. Learned counsel further submits that injury caused to the informant is simple in nature, as would be evident from the impugned order itself.

After having heard learned counsel for the petitioners as well as learned counsel appearing on behalf of the State and taking into consideration the fact that there is no specific allegation against the petitioners in the FIR of assault and there is general and omnibus allegation against the petitioners and further both the parties are co-villagers and dispute between them is relating to passing of some electric wire from the roof of co-accused and the injury caused to the victim is simple in nature, as such, I am inclined to grant anticipatory bail to all these petitioners.



Accordingly, all the petitioners, above named, are directed to surrender before the learned Court below within a period of four weeks from today and in the event of surrender by them, they shall be released on anticipatory bail by the Court below upon furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-Vth, Katihar, subject to the condition as mentioned under Section 438 (2) of Cr.P.C.

(Anil Kumar Sinha, J)

sanjeev/-

U		T	
---	--	---	--

