

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.8542 of 2020**

Arising Out of PS. Case No.-739 Year-2019 Thana- PHULWARISHARIF District- Patna

1. MD. SONU Son of Md. Khan Saheb Resident of near AMI Ashwani School, P.S. Phulwari Sharif, District - Patna.
2. Md. Monu Son of Md. Khan Saheb Resident of near AMI Ashwani School, P.S. Phulwari Sharif, District - Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Vijay Kumar Singh

For the Opposite Party/s : Mr.Choubey Jawahar

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

4      29-06-2020      The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioners and the learned APP for the State.

This is an application for grant of anticipatory bail in connection with Phulwari Sharif P.S. Case No. 739 of 2019 registered for the offence punishable under Sections 341, 323, 324, 307 and 34 of the Indian Penal Code.



The allegation is regarding the accused persons including the petitioners herein having had an altercation with the informant in the night of 31.7.2019 at about 10:00 o'clock on the issue of construction of grill. The co-accused person, namely, Md. Sakib has been alleged to have given a knife blow on the stomach of the informant.

The learned counsel for the petitioners has submitted that the petitioners are innocent, they have been falsely implicated in the present case and they are having a clean antecedent. It is further submitted that the allegation levelled qua the petitioners herein by the informant is general and omnibus, hence, the petitioners be granted the privilege of anticipatory bail.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioners as also taking into account the fact that the injuries are simple in nature, as has been opined by the Doctor



in his report dated 18.10.2019 and moreover, a general and omnibus allegation has been levelled as far as the petitioners are concerned, I deem it fit and proper to admit the petitioners to the privilege of anticipatory bail.

Accordingly, the petitioners are directed to be enlarged on anticipatory bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub Judge IXth cum ACJM Patna in connection with Phulwari Sharif P.S.Case No. 739 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Mohit Kumar Shah, J)**

Ajay/-

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