

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26294 of 2020

Arising Out of PS. Case No.-161 Year-2019 Thana- JALALGARH District- Purnia

1. ABDUL HANNAN Son of Abdul Shakoor Resident of village Niz Gehuwan Line Tola, Police Station - Jalalgarh, District Purnia.
2. Ijhar Son of Tahir Resident of village Niz Gehuwan Line Tola, Police Station - Jalalgarh, District Purnia.
3. Azhar Son of Tahir Resident of village Niz Gehuwan Line Tola, Police Station - Jalalgarh, District Purnia.
4. Mazahar Son of Tahir Resident of village Niz Gehuwan Line Tola, Police Station - Jalalgarh, District Purnia.
5. Konain Son of Md. Kashim Resident of village Niz Gehuwan Line Tola, Police Station - Jalalgarh, District Purnia.
6. Saddam Son of Salam Resident of village Niz Gehuwan Line Tola, Police Station - Jalalgarh, District Purnia.
7. Abdul Kalam Son of Abdul Shakoor Resident of village Niz Gehuwan Line Tola, Police Station - Jalalgarh, District Purnia.
8. Aabid Son of Jakrul Resident of village Niz Gehuwan Line Tola, Police Station - Jalalgarh, District Purnia.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Bidhu Ranjan

For the Opposite Party/s : Mr.Ajit Kumar

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 20-10-2020

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.

Heard the learned counsel for the petitioner and Sri Ajit Kumar, the learned A.P.P. for the State.

This is an application for grant of anticipatory bail



in connection with Jalalgarh PS case no. 161 of 2019 registered for the offences punishable under Section 307 and other allied sections of Indian Penal Code.

The allegation is regarding the accused persons having assaulted the son of the informant resulting in him receiving serious injuries, whereafter they had taken away his motorcycle and mobile phone. It is alleged that the petitioners herein had, in the past, threatened the informant and his family members of dire consequences and it is alleged by the informant that the said persons had caught his son and snatched his motorcycle and mobile.

The learned counsel for the petitioners has submitted that the petitioners are innocent, have been falsely implicated in the present case and are having clean antecedent. It is further submitted that a general and omnibus allegation has been levelled against the petitioners and the injury report of the son of the informant would bear it out that the injuries sustained by the son of the informant are simple in nature. It is further submitted that the petitioners have been falsely implicated in the present case on account of previous enmity.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel



for the parties and taking into account the fact that a general and omnibus allegation has been levelled against the petitioners, the petitioners are having clean antecedent and the injuries sustained by the son of the informant are simple in nature, I deem it fit and appropriate to admit the petitioners to the privilege of anticipatory bail. Accordingly, the abovenamed petitioners, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/ production of a copy of this order, are directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Purnia in connection with Jalalgarh PS case no. 161 of 2019 subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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