

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31352 of 2020

Arising Out of PS. Case No.-265 Year-2019 Thana- KRITYANAND NAGAR District-
Purnia

-
1. MD. TAUSIF @ TAUSEEF RAZA Son of Md Mohasin @ Md Mosin Resident of Village - Baigachhi, Amchura, P.S. K. Nagar, District - Purnea.
 2. Md Kadir Son of Md Mohasin @ Md Mosin Resident of Village - Baigachhi, Amchura, P.S. K. Nagar, District - Purnea.
 3. Md Taukir Son of Md Mohasin @ Md Mosin Resident of Village - Baigachhi, Amchura, P.S. K. Nagar, District - Purnea.
 4. Arbina Khatoon wife of Md Nain @ Naiyeem Resident of Village - Sabutar, P.S. K. Nagar, District - Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar

For the Opposite Party/s : Mr.Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 23-12-2020 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 petitioners and Sri Akshay Lal Pandit, the learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with K. Nagar PS case no. 265 of 2019 registered for the offences punishable under Sections 307 and other allied sections of Indian Penal Code.

The case of the prosecution in brief is that on



16.07.2019 at about 8 am, the father of the informant was going to the house of one Md. Qudus Sah to bring milk and when he had reached at the door of the said Md. Qudus Sah, the accused persons including some of the petitioners were present there, armed with deadly weapons. It is further alleged that all the accused persons had then assaulted the father of the informant with iron rod and knife resulting in him sustaining injuries.

The learned counsel for the petitioners has submitted that the petitioners are innocent and have been falsely implicated in the present case. It is further submitted that the petitioners are accused in one other case which has also been lodged by the present informant. The learned counsel for the petitioners has also submitted that the present case arises out of case and counter case and a general and omnibus allegation has been levelled against the petitioners herein.

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 parties and taking into account the fact that the present case arises out of case and counter case and a general and omnibus allegation has been levelled against the petitioners



herein, 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 Chief Judicial Magistrate, Purnea in connection with K. Nagar PS case no. 265 of 2019 subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

rinkee/-

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

