

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12744 of 2021

Arising Out of PS. Case No.-257 Year-2019 Thana- BISFI District- Madhubani

1. Md. Akram S/O Late Hafiz R/O Village Bhairba, Ps Bisfi, District-Madhubani.
2. Aale Navi S/O Md. Safique R/O Village Bhairba, Ps Bisfi, District-Madhubani.
3. Md. Taz S/O Akram R/O Village Bhairba, Ps Bisfi, District-Madhubani.
4. Md. Safique S/O Late Md. Eqbal R/O Village Bhairba, Ps Bisfi, District-Madhubani.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Prakash, Adv.
For the Opposite Party/s : Dr. Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 03-12-2021 Heard learned counsel for the petitioners and learned
APP for the State through virtual court proceedings.

Learned counsel for the petitioners undertakes to remove the defects within three weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Section 341, 323, 324, 307, 427, 379, 504, 506, 34 of the Indian Penal Code.

When the informant and his family members were sitting on Darwaja, all the accused persons armed with deadly weapons, lathi and danda came and started abusing the



informant and his family members. On objection, they assaulted with lathi and Gadasa to the informant as a result of which they sustained injury. They also snatched away Rs. 2000/- cash from the packet of the informant.

Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case due to land dispute. He submits that both parties are Gotiya and there is no specific overt against petitioner nos. 2 and 4. There is specific allegation against petitioner nos. 1 and 3. He further submits that petitioner has no criminal antecedent as stated in para-3 of the bail application.

However, learned APP for the State opposes the prayer for bail and submits that there is specific allegation against petitioner no. 1 and 3 and the injury report has supported the prosecution case.

Considering the facts and circumstances of the case and the fact that there is general and omnibus allegation against petitioner nos. 2 and 4, the above named petitioner nos. 2 and 4 in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like



amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Bisfi P.S. Case No. 257 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

However, there is specific allegation against petitioner nos. 1 and 3, I am not inclined to enlarge the petitioner nos. 1 and 3 on bail. Accordingly, their prayer for anticipatory bail is rejected in connection with the aforesaid case.

(Anjani Kumar Sharan, J)

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