

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6866 of 2021

Arising Out of PS. Case No.-99 Year-2020 Thana- NIMCHAKBATHANI District- Gaya

1. Md. Mojibullah @ Majbullah @ Mohd Mojibullah, aged about 63 years, male, Son of Late Jahir.
 2. Md. Sahanawaz, aged about 27 years, male, Son of Md. Mojibullah.
- Both are resident of Village- Imamganj, Neemchak Bathani, P.S. - Distt- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abu Nasar, Adv.
Mr. Vikash Kumar Jha, Adv.
For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 08-12-2021 The learned counsel for the petitioners had sought an early hearing in the matter as this case was filed on 23.01.2021 and till date, it has not been taken up even once.

Heard the counsel for the parties.

The petitioners, who are father and son amongst



themselves, seek bail in anticipation of their arrest in connection with Neemchak Bathani P.S. Case No. 99 of 2020, dated 28.05.2020, instituted for the offences under Sections 341, 323, 342, 327, 307 and 504/34 of the Indian Penal Code.

The petitioner No. 1 is said to have assaulted the informant by means of a *bhala*, whereas the other accused persons including petitioner No. 2 further assaulted the informant and other family members of his family.

It has been submitted on behalf of the petitioners that there is a counter version of the occurrence and the injuries suffered by the informant is reported to be simple in nature. The accusation against petitioner No. 2 is absolutely general and omnibus. It has further been submitted that in the counter case, the informant is one of the named accused persons. The petitioner No. 2, in the aforesaid case has received injuries about which there is no reference in the subject F.I.R., making the accusation to be highly doubtful.

Regard being had to the facts afore-stated and taking into account the clean antecedents of the petitioners,



they, in the event of their arrest or surrender before the learned Court below within a period of three weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-X, Gaya in connection with Neemchak Bathani P.S. Case No. 99 of 2020, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Ashutosh Kumar, J)

Praveen-II/-

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

