

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10212 of 2021

Arising Out of PS. Case No.-284 Year-2020 Thana- JOKIHAT District- Araria

1. NAZIM SON OF SHAHID RESIDENT OF VILLAGE-PANSERWA, WARD NO-6, P.S- MAHALGAON, DISTRICT-ARARIA
2. SHAHID @ SAHID SON OF SHARFUDDIN RESIDENT OF VILLAGE-PANSERWA, WARD NO-6, P.S- MAHALGAON, DISTRICT- ARARIA.
3. TAUHID @ TOHID SON OF SARFU @ SARFUDDIN RESIDENT OF VILLAGE- PANSERWA, WARD NO-6, P.S- MAHALGAON, DISTRICT-ARARIA
4. SHAKIB SON OF DOST MOHAMMAD @ DAUSAD RESIDENT OF VILLAGE- PANSERWA, WARD NO-6, P.S- MAHALGAON, DISTRICT-ARARIA
5. ALAM @ AZAJ SON OF SERAJ RESIDENT OF VILLAGE-PANSERWA, WARD NO-6, P.S- MAHALGAON, DISTRICT-ARARIA
6. AZAM @ AZIMUDDIN SON OF LATE TETAN @ TETAR RESIDENT OF VILLAGE- PANSERWA, WARD NO-6, P.S- MAHALGAON, DISTRICT-ARARIA
7. SAUKIN @ SHAUKAT ALI SON OF AZAM @ AZIMUDDIN RESIDENT OF VILLAGE- PANSERWA, WARD NO-6, P.S- MAHALGAON, DISTRICT-ARARIA

... .. Petitioners.

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh
For the Opposite Party/s : Mr. Abhay Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 13-12-2021 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

Learned counsel for the petitioners undertakes to remove the defects, as pointed out by the office, within four weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the



Bench.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 354B, 380, 447 & 448/34 of the Indian Penal Code.

The allegation against the petitioners is that they forcibly entered into the house of the informant and started abusing them and on protest they assaulted them by means of fists. They also took away Rs.40,000/- from the box. The reason behind the occurrence is said to be demand of labour cost.

It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case with ulterior motive, village politics and in collusion of the police. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is inordinate and abnormal delay of two days in lodging the F.I.R. without assigning any plausible and convincing reason for the said delay. Petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond



of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Jokihat (Mahalgaon) P.S. Case No.284 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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