

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69908 of 2021

Arising Out of PS. Case No.-91 Year-2021 Thana- BAKHTIYARPUR District- Patna

1. ASHAN @ MD. AHTESHAN @ AHTESHAM S/o Mustafa @ Md. Mustafa @ Karu R/o village- Mogalpura Bigha, P.S.- Bakhtiarpur, District- Patna
2. Alishan @ Md. Alishan Alam S/o Mustafa @ Md. Mustafa @ Karu R/o village- Mogalpura Bigha, P.S.- Bakhtiarpur, District- Patna
3. Lal Babu @ Irshad @ Md. Irfan S/o Md. Ejaj R/o village- Mogalpura Bigha, P.S.- Bakhtiarpur, District- Patna
4. Ful Babu @ Irfan @ Md. Pravej Mosaraf S/o Md. Ejaj R/o village- Mogalpura Bigha, P.S.- Bakhtiarpur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhitabh Kumar

For the Opposite Party/s : Mr.Ram Sumiran Rai

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 24-12-2021 Heard learned counsel for the petitioners and the State through virtual mode.

Learned counsel for the petitioners is directed to remove the defect(s), as pointed out by the office, within a period of eight weeks.

The petitioners are apprehending their arrest in a case registered for the offence under Sections 341, 323, 325, 308/34 of the Indian Penal Code.

Allegedly, while the informant was returning home after offering Namaz, the accused persons attacked him, as a result of which, his bone of wrist of left hand was broken.

It has been submitted on behalf of the petitioners that the



petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have been falsely implicated in the present case. General and omnibus allegation has been made against the petitioners. No specific overt act is alleged against the petitioners. There is case and counter case between the parties. Free fight is alleged to have taken place between the parties. The injury on the side of the accused has not been explained by the prosecution.

On behalf of the State, it is submitted that the petitioners are named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioners, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-III, Barh, Patna in connection with Bakhtiyarpur P.S. Case No. 91 of 2021 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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