

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7613 of 2022

Arising Out of PS. Case No.-102 Year-2021 Thana- HASANGANJ District- Katihar

1. MD. AHMAD @ TULWA SON OF MD. RUSTAZ ALI R/O VILLAGE- BANDEWAR, P.S.- HASANGANJ, DISTRICT- KATIHAR
2. MD. SHAHNAWAZ ROZA @ MD. SHAHNAWAZ @ RINKU @ MD. SHAHNAZ SON OF MD. RUSTAZ ALI R/O VILLAGE- BANDEWAR, P.S.- HASANGANJ, DISTRICT- KATIHAR

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Vinay Ranjan

For the Opposite Party/s : Mr.Madan Kumar

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 31-08-2022 Learned counsel for the petitioners is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioners as well as the learned APP for the State assisted by the learned counsel for the informant.

The petitioners apprehend their arrest in connection with Hasanganj P.S. Case No. 102 of 2021, registered for the offences punishable under Sections 341, 323, 307, 379, 325, 504, 506 and 34 of the Indian Penal Code.

As per allegation, when the informant was returning to his home he was intercepted by the accused persons including



the petitioners. There is specific allegation on co-accused Rustam Ali that he assaulted the informant and he also ordered to shoot him. Rustam Ali took away Rs. 50,000/- from his pocket and thereafter the accused persons assaulted him resulting into fracture of his hand.

Learned counsel for the petitioner has submitted that the specific allegation is against co-accused Rustam Ali and the allegation against the petitioners are general and omnibus in nature. He has also submitted that there is case and counter case of the same day occurrence and the members of prosecution side had also assaulted the members of defense side. He has also submitted that the police submitted final form against co-accused Rustam Ali.

The allegation against the petitioners are general and omnibus. There is case and counter case and the petitioners are the persons of clean antecedents.

Considering the above-mentioned facts and circumstances, let the petitioners, in the event of their arrest or surrender within four weeks before the learned court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar in



connection with Hasanganj P.S. Case No. 102 of 2021, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Office shall ensure that all defects are removed by the petitioners within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

SONALI/-

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

