

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12773 of 2022

Arising Out of PS. Case No.-549 Year-2020 Thana- MAHUA District- Vaishali

1. Md. Nasim S/o Md. Allauddin Resident of Village- Jirwara, Rasulpur Fatah, P.S.- Mahua, District- Vaishali.
2. Md. Alamgir Son of Late Md. Tahir Hasan Resident of Village- Jirwara, Rasulpur Fatah, P.S.- Mahua, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Sunil Kumar Singh
For the Opposite Party/s :	Mr.Madhura Nand Jha
	Mr. Nachiketa Jha

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 22-08-2022 Heard learned counsel for the petitioners, counsel for informant and learned counsel for the State.

The petitioners apprehend their arrest in Mahua P.S. Case No. 549 of 2020, registered for the offences punishable under Sections 354, 379 and other allied sections of the Indian Penal Code.

As per the FIR, co-accused Md. Jawed @ Guddu assaulted the informant on her head by means of sword causing injury on her head. Petitioners also assaulted.

It is submitted that allegation of assault is general and omnibus. Specific allegation of assault by means of sword is against co-accused Md. Jawed @ Guddu. Allegation of



molestation with the daughter of informant is superfluous. Similarly situated co-accused have already been granted bail vide order dated 09.02.2022 passed in Cr. Misc. 29362 of 2021 vide annexure-3. Petitioners claim clean antecedents.

Counsel for the informant vehemently opposed the prayer for bail and submitted that petitioners are named in the FIR and all of them participated in the assault.

Considering the facts aforesaid, the petitioners above-named, in the event of their arrest/surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged 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 the learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Mahua P.S. Case No. 549 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

vinita/-

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