

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14774 of 2022

Arising Out of PS. Case No.-376 Year-2020 Thana- FORBESGANJ District- Araria

1. Md. Irshad S/O Late Jhakra Resident of North of Nahar Kasba, Ward No.- 11, P.S.- Forbisganj, Distt.- Araria.
2. Faruque S/o Ali Hussain Resident of North of Nahar Kasba, Ward No.- 11, P.S.- Forbisganj, Distt.- Araria.
3. Sajahar S/o Faraque Resident of North of Nahar Kasba, Ward No.- 11, P.S.- Forbisganj, Distt.- Araria.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nishant Kumar Sinha
For the Opposite Party/s : Mr. Mohammed Arif

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-08-2022 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners apprehend their arrest in connection with Forbisganj P.S. Case No.376 of 2020, registered for the offences punishable under Sections 447, 448, 147, 149, 341, 323, 324, 308, 326, 354(B), 379, 427 and 504 of the Indian Penal Code.

The petitioners and other co-accused persons are said to have assaulted the informant, her husband and father of the informant by means of *lathi*, *farsa* and iron rod.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. It is further submitted that the occurrence took place on 04.05.2020, but the FIR was lodged on 16.05.2020 after delay



of 12 days without giving any explanation, which creates a serious doubt about the veracity of the prosecution case. It is submitted that there is general and omnibus allegation against these petitioners. It is also submitted that the petitioners have got no criminal antecedent as stated in paragraph-3 of the bail application. It is further submitted that specific allegation is against co-accused, Md. Siraj, Noore Nazar and Md. Anwar.

Learned APP for the State opposed the prayer for anticipatory bail of the petitioners.

Taking into consideration the facts aforesaid, let petitioners, above named, in the event of their arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bonds of Rs.25,000/- (rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Forbisganj P.S. Case No.376 of 2020, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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