

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29122 of 2021

Arising Out of PS. Case No.-348 Year-2020 Thana- FORBESGANJ District- Araria

1. Md Saddam @ Misaddam, Son of Md. Sakim @ Sakim @ Md. Sakir @ Md. Sakir Alam, R/o Village Rampur Uttar, P.S. Forbesganj, Distt.- Araria.
2. Shakir, Son of Md. Sakim @ Sakim @ Md. Sakir @ Md. Sakir Alam, R/o Village Rampur Uttar, P.S. Forbesganj, Distt.- Araria.
3. Md. Vakil, Son of Md. Sakim @ Sakim @ Md. Sakir @ Md. Sakir Alam, R/o Village Rampur Uttar, P.S. Forbesganj, Distt.- Araria.
4. Md. Rehan, Son of Md. Nahim, R/o Village Rampur Uttar, P.S. Forbesganj, Distt.- Araria.
5. Md. Sakim @ Sakim @ Md. Sakir @ Md. Sakir Alam, Son of Md. Sadique, R/o Village Rampur Uttar, P.S. Forbesganj, Distt.- Araria.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Md. Naushad Uzzoha, Advocate
For the Opposite Party/s : Ms. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 03-01-2022 Heard learned counsel for the petitioners and learned
APP for the State.

Learned counsel for the petitioners undertakes to remove the defects within four weeks of normal court proceedings. 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 Forbesganj P.S. Case No.348 of 2020, registered for the offences punishable



under Sections 341, 323, 307, 379, 504 and 34 of the Indian Penal Code.

The petitioners are said to have assaulted the informant, his wife and daughter with fists and slaps, lathi and rod. Petitioner No.3, Md. Vakil is said to have assaulted the informant with rod.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. It is submitted that there is general and omnibus allegation against the petitioners except petitioner no.3, Md. Vakil. It is submitted that from perusal of the injury report (Annexure-2), it appears that the injuries are simple in nature.

Having considered the fact that there is specific allegation of assault against petitioner no.3, Md. Vakil, I am not inclined to enlarge petitioner no.3, Md. Vakil on anticipatory bail. Accordingly, the prayer for anticipatory bail of petitioner no.3, Md. Vakil is rejected.

So far as other petitioners are concerned, there is general and omnibus allegation against petitioners no.1, 2, 4 and 5.

Having considered the facts aforesaid, let petitioners no.1, 2, 4 and 5, 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 C.J.M., Araria in connection with Forbesganj P.S. Case No.348 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J.)

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