

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25110 of 2022

Arising Out of PS. Case No.-200 Year-2020 Thana- DARBHANGA District- Darbhanga

1. MD. ZUBAIR @ BHOLA Son of Late Md. Shamshul Resident of village - Qilagahat Senapat, P.S.- Darbhanga Town, District - Darbhanga
2. Md. Hussain Son of Md. Zubair @ Bhola Resident of village - Qilagahat Senapat, P.S.- Darbhanga Town, District - Darbhanga
3. Md. Hassan Son of Md. Zubair @ Bhola Resident of village - Qilagahat Senapat, P.S.- Darbhanga Town, District - Darbhanga
4. Md. Kaila @ Kallu Son of Late Sohail Resident of village - Qilagahat Senapat, P.S.- Darbhanga Town, District - Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Shahnawaz Ali, Advocate

For the Opposite Party/s : Mr. Zainul Abedin, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 11-11-2022 Heard learned counsel for the petitioners and learned A.P.P. for the State through virtual Court proceedings.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 363, 354A, 365, 511, 504 and 506 of the Indian Penal Code.

The informant alleges that the accused persons including the petitioners came to her house and were looking for her husband, further they assaulted her son, daughter and the informant also, it is next alleged that they forcibly took her son



in a car but released them when villagers gathered, further the accused were pressurizing to compromise the case.

Learned counsel for the petitioners submits that the petitioners have antecedents of five cases but inadvertently it has been stated at paragraph 3 that petitioners have eight antecedents, the said rectification has been made by way of a supplementary affidavit. Learned counsel next submits that from bare perusal of the allegation as alleged in the FIR it would manifest that the same is general and omnibus in nature rather is cryptic, it is further submitted that though allegation of assault is alleged but then there is no injury suffered by any of the injured. Learned counsel also submits that allegation with regard to pressurizing the informant for compromising the case is alleged the same is also vague as the FIR does not disclose as to which case the petitioners were pressurizing to compromise.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners and submits that petitioners have antecedents of five cases.

Learned counsel for the petitioners rebuts the submission of the learned A.P.P. and submits that mere antecedent never persuades a Court to reject the bail application of the petitioners rather the allegations are to be seen and the



allegations are vague, it is thus submitted that in the nature of allegation it is a fit case where anticipatory bail should be granted.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Darbhanga P.S. Case No. 200 of 2020 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

GauravSinha/-

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

