

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31871 of 2022

Arising Out of PS. Case No.-135 Year-2020 Thana- BARAUNI District- Begusarai

1. MD. SHAHAB @ MD. SAHAB Son of Md. Mojim @ Md. Mozim @ Md. Mojib Resident of Village - Baluara, P.S.- Barauni, District - Begusarai.
2. Md. Amin @ Matru Son of Late Md. Salim Resident of Village - Baluara, P.S.- Barauni, District - Begusarai.
3. Md. Inamul @ Md. Anamul Son of Md. Mojim @ Md. Mozim @ Md. Mojib Resident of Village - Baluara, P.S.- Barauni, District - Begusarai.
4. Md. Mojim @ Md. Mozim @ Md. Mojib Son of Late Md. Muslim Resident of Village - Baluara, P.S.- Barauni, District - Begusarai.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Sandip Kumar Gautam, Advocate
For the Opposite Party : Mr. Nityanand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 01-11-2022 Heard learned counsel for the petitioners and learned counsel for the State.

Learned counsel for the petitioners is directed to remove the defect(s) as pointed out by the office within a period of four weeks.

The petitioners are apprehending their arrest in a case registered for the offence under Sections-147, 148, 149, 341, 323, 337, 308, 379, 504, 506 of the Indian Penal Code.

The prosecution case in short is that while the informant was in her house, the accused persons entered her house and thrashed her son with lathi and rod causing injury to her son. When the informant and her husband rushed to rescue her son, the accused persons are said to have abused and beaten both of them.



It is submitted on behalf of the petitioners that the petitioner No. 4 has got no criminal antecedent. There is no allegation of tampering alleged against the petitioners. The petitioners have falsely been implicated in the present case. There is general and omnibus allegation against the petitioners. Prior to institution of the present case, a case was instituted by the accused side and for the said reason, the present case has been instituted.

On behalf of the State, it is submitted that the petitioners are named in the FIR.

Considering the aforesaid facts and circumstances, let the petitioners named above in the event of arrest or surrender within a period of twelve weeks from today, be released on anticipatory 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, Bagusarai in connection with Barauni P.S. Case No. 135 of 2020 subject to the conditions as laid down under Section-438 of the Cr. P. C.

(Sudhir Singh, J)

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