

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31460 of 2022

Arising Out of PS. Case No.-26 Year-2022 Thana- BARAUNI District- Begusarai

1. Md. Raja Son Of Md. Shaukat @ Md. Saukat R/O Village- Baro, Durga Sthan, Ward No.-8, P.S.- Barauni, Garhara O.P., District- Begusarai
2. Md. Shaukat @ Md. Saukat Son Of Late Md. Islam @ Md. Islam R/O Village- Baro, Durga Sthan, Ward No.-8, P.S.- Barauni, Garhara O.P., District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 31977 of 2022

Arising Out of PS. Case No.-26 Year-2022 Thana- BARAUNI District- Begusarai

1. MD. AKBAR Son of Md. Qasim @ Md.Kasim Resident of Village- Baro, Durga Sthan, P.S. Barauni, Garhara O.P., District - Begusarai.
2. md. Guddu Son of md. aslam @ ASlam Resident of Village- Baro, Mukhan tola, P.S. Phulwaria, District - Begusarai.
3. Md. Sadam Son of Md. Cheena @ China Resident of Village- Baro, Mukhan tola, P.S. Phulwaria, District - Begusarai.
4. Md. Chintu Son of Late Lallu Mian Resident of Village- Baro, Durga Sthan, P.S. Barauni, Garhara O.P., District - Begusarai.
5. Md. Sajid Son of Md. Mokhtar @ Md. Mokhtar @ Md. Muktar Resident of Village- Baro, Durga Sthan, P.S. Barauni, Garhara O.P., District - Begusarai.
6. Md. Shahid @ Md. Sahid @ Nanua Son of Md. Mokhtar @ Md. Mokhtar @ Md. MUktar Resident of Village- Baro, Durga Sthan, P.S. Barauni, Garhara O.P., District - Begusarai.
7. Md. Mustaquim @ Bhuttu @ Bhutto Son of Late Md. Jalo @ Md. Jalo Resident of Village- Baro, Durga Sthan, P.S. Barauni, Garhara O.P., District - Begusarai.
8. Md. Asif @ Md. Ashif Son of Late Md. Akhtar @ Md. Akhtar Resident of Village- Baro, Durga Sthan, P.S. Barauni, Garhara O.P., District - Begusarai.
9. Md. Sonobar @ Md. Shanbar @ Md. Shanoar Son of Md. Haslen Resident of Village- Baro, Durga Sthan, P.S. Barauni, Garhara O.P., District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 31460 of 2022)

For the Petitioner/s : Mr. Sandip Kumar Gautam

For the Opposite Party/s : Mr. Md. Ataur Rahman

(In CRIMINAL MISCELLANEOUS No. 31977 of 2022)

For the Petitioner/s : Mr. Sandip Kumar Gautam



For the Opposite Party/s : Mr. Nand Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 14-09-2022 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioners undertakes to remove the defects within three weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 341, 323, 504, 506, 379, 354(A), 427, 307 and 34 of the Indian Penal Code.

Petitioners are said to have assaulted the informant and looted five thousand cash which has been kept after selling.

Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He submits that there is case and counter case between the parties and both sides have sustained injury. He submits that there is a specific allegation against some of the co-accused. He submits that the injury found upon the victim is simple in nature. He submits that there is no specific overt act against the petitioners. He submits that there is general and omnibus allegation levelled against the petitioners. He further submits that petitioners in Cr. Misc. No. 31460 of 2022 have fair criminal antecedent, petitioner



nos.1,2,3,5,6,7,8 and 9 in Cr. Misc. No. 31977 of 2022 have no criminal antecedent whereas petitioner no.4 in Cr. Misc. No. 31977 of 2022 has one criminal antecedent as stated in para-3 of these applications.

Learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances of the case and the fact that the injury found upon the victim is simple in nature, let the above named petitioners 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 bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Barauni P.S. Case No. 26 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

Ajay, devendra/-

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