

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33208 of 2022

Arising Out of PS. Case No.-542 Year-2020 Thana- KANTI District- Muzaffarpur

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1. MD. WASIM SON OF MD. MURTAZA ALI R/O MITHAPUR, P.S.- KANTI, DISTRICT- MUZAFFARPUR
 2. SAIF ALI @ MD. SAIF ALI SON OF MD. MUBARAK R/O MITHAPUR, P.S.- KANTI, DISTRICT- MUZAFFARPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate

For the Opposite Party/s : Mr. Ram Sevak Choudhary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 25-11-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State through the virtual Court proceedings.

Let the defect(s), if any, be removed within a period
of four weeks.

The petitioners apprehend their arrest in a case
registered for the offences punishable under Sections 147, 341,
323, 324, 307, 379, 504 and 506 of the Indian Penal Code.

Learned counsel for the petitioners submits that
petitioners are persons with clean antecedent.

The informant alleges that accused persons including
the petitioners came to the house of Md. Sajjad and started
abusing and assaulting the informant on account of previous
dispute between the children. Further, Md. Sarfraz assaulted



Md. Rayess by lathi causing injury on his nose and also assaulted Md. Sharief by Khanti causing swelling on his leg and Md. Wasim snatched Rs.500/- from Md. Sharief.

Learned counsel for the petitioners submits that from bare perusal of the allegation as alleged in the FIR, it would manifest that specific allegation is alleged against Md. Sarfraz of assaulting Md. Rayess and Md. Sharief but as far as allegation of assaulting Md. Sajjad is alleged, the same is general and omnibus in nature. Learned counsel further submits that even from perusal of the allegation as alleged in the FIR, it would manifest that though allegation of assaulting Md. Sajjad is there but then the FIR does not disclose as to where he was assaulted. It is next submitted that one of the injuries of Md. Sajjad is said to be grievous but then there is no specific allegation against the petitioner of assaulting Md. Sajjad.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

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 Court below 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 court below where the case is pending/successor court in connection with Kanti P.S. Case No. 542 of 2020, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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