

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41945 of 2022

Arising Out of PS. Case No.-215 Year-2022 Thana- OBRA District- Aurangabad

1. MD ARIF @ ARIF HAZAM Son of Md. Nasir Hazan Resident of village- Naraula P.S- Obra, District- Aurangabad
2. Md. Nazir @ Nazir Hazam Son of Md. Nasir Hazam Resident of village- Naraula P.S- Obra, District- Aurangabad
3. Md. Nizam Son of Md. Nasir Hazam Resident of village- Naraula P.S- Obra, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Ajit Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 12-12-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 504, 506, 307 and 34 of the Indian Penal Code.

The informant alleges that the accused persons including the petitioners along with some unknown accused came and brutally assaulted Fakruddin on account of which he got seriously injured, on alarm his daughter Nagma came to rescue him who too was assaulted by the accused persons leading to head injury, it is further alleged that accused persons



also assaulted the informant with lathi, danda and sharp edged weapon.

Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and have been falsely implicated in the present case, it is next submitted that from perusal of the allegation as alleged in the FIR it would manifest that the allegation of assault is general and omnibus in nature as no specific allegation has been alleged against the petitioner of assaulting the injured, it is also submitted that altogether four injured suffered injuries out of which injuries of two injured is simple in nature and with respect to two injured the opinion has been reserved but then the assault is not on vital part of the body as would be evident from Annexure - 2 Series. Learned counsel also submits that from the side of the petitioner Obra P.S. Case No. 214 of 2022 has been instituted by the petitioners against the side of the informant and others and even the petitioners side have received injuries.

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 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 Obra P.S. Case No. 215 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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