

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42827 of 2022

Arising Out of PS. Case No.-101 Year-2020 Thana- RAHIKA District- Madhubani

1. MD. SADRUL @ SADRUJJAMA Son of Late Yakeen Resident of Village - Balat, P.S.- Rahika, District - Madhubani.
2. Md. Jakir @ Md. Zakir Son of Md. Sadrul @ Sadrujjama Resident of Village - Balat, P.S.- Rahika, District - Madhubani.
3. Md. Sakir @ Mohd. Shakir Son of Md. Sadrul @ Sadrujjama Resident of Village - Balat, P.S.- Rahika, District - Madhubani.
4. Md. Jabir son of Md. Sadrul @ Sadrujjama Resident of Village - Balat, P.S.- Rahika, District - Madhubani.
5. Md. Sabir Son of Md. Sadrul @ Sadrujjama Resident of Village - Balat, P.S.- Rahika, District - Madhubani.
6. Md. Sahid @ Md. Shahid Son of Md. Sadrul @ Sadrujjama Resident of Village - Balat, P.S.- Rahika, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Prakash
For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 29-11-2022 Heard both sides.

The petitioners apprehend their arrest in connection with Rahika P.S. Case No.101 of 2020, registered for the offences punishable under Sections 143, 341, 323, 504, 506, 307, 448, 427 and 379 of the Indian Penal Code.

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

The petitioners are said to have assaulted the



informant by means of different weapons. Petitioner No.4, Jabir is said to have assaulted the son of the informant by means of *farsa* on his head and the son of the informant fell down on the ground after becoming unconscious. When the informant came to save his son, Sakir, petitioner no.3 and Jakir, petitioner no.2 assaulted the informant causing injury in his head. It is also alleged that when the brother and nephew of the informant came to save the informant, the petitioners also assaulted them. Thereafter all accused persons entered into the house of the informant and took away jewellery made of gold worth Rs.30,000/- from the house of the informant.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. It is submitted that the petitioners have got one criminal antecedent as stated in paragraph-3 of the bail application. It is further submitted that specific allegation is against petitioner no.4, Md. Jabir who assaulted the son of the informant by means of *farsa* causing grievous injury in his head. It is also submitted that there is general and omnibus allegation against petitioners no.1, 2, 3, 5 and 6. It is submitted that there is case and counter case between the parties and both sides sustained injuries.



Learned APP for the State opposed the prayer for anticipatory bail of the petitioners.

Considering the fact that specific allegation is against petitioner no.4, Md. Jabir, I am not inclined to enlarge petitioner no.4, Md. Jabir on anticipatory bail. Accordingly, the prayer for anticipatory bail of petitioner no.4, Md. Jabir is rejected.

Considering the fact that no specific overt act is alleged against petitioners no.1, 2, 3, 5 and 6, let petitioners no.1, 2, 3, 5 and 6, 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 bail on furnishing bail bonds of Rs.25,000/- (rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-II, Madhubani in connection with Rahika P.S. Case No.101 of 2020, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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