

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62520 of 2021

Arising Out of PS. Case No.-428 Year-2021 Thana- ARARIA District- Araria

1. MD. ALAM @ ALAM Son of Late Sadloom Resident of Village - Hirdaypur Ward no.05, P.s.- Araria, Dist.- Araria.
2. Saddam Son of Md. Alam @ Alam Resident of Village - Hirdaypur Ward no.05, P.s.- Araria, Dist.- Araria.
3. Md. Rabban Son of Md. Alam @ Alam Resident of Village - Hirdaypur Ward no.05, P.s.- Araria, Dist.- Araria.
4. Md. Salim Son of Late Sadloom Resident of Village - Hirdaypur Ward no.05, P.s.- Araria, Dist.- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kumar, Advocate
For the Opposite Party/s : Mr.Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 30-08-2022 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 448, 341, 323, 354-B, 379, 427, 436, 504 and 34 of the Indian Penal Code.

The informant alleges that 11 accused persons along with petitioners entered the informant's house and started demolishing it and when the informant objected, the accused assaulted and locked him out, it is next alleged that two houses were broken and fire was extinguished but informant's cow



received burn injuries, further Haleem and petitioner no.1 broke the box and looted Rs. 25,000/- gold and silver ornaments and some goods and furniture.

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 the allegations are general and omnibus in nature i.e., no specific overt act has been alleged against any of the petitioners. Learned counsel further submits that as far as allegation of committing theft in the house by petitioner no.1 is alleged, the same is ornamental in nature only to give a serious color to the case, it is next submitted, at the cost of repetition, that petitioners are persons with clean antecedent and are related to the informant but this fact has been concealed by the informant for reasons best known to him.

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 Araria (R.S.) P.S. Case No. 428 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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