

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9375 of 2021

Arising Out of PS. Case No.-316 Year-2020 Thana- RANIGANJ District- Araria

1. Ibrar @ Md. Abrar, aged about 25 years, Male, S/o Yunus, Resident of Village- Parmanandpur, Ward No.03, P.S.- Raniganj, Distt- Araria.
2. Binna @ Intazar @ Intazir, aged about 27 years, Male, S/o Yunus, Resident of Village- Parmanandpur, Ward No.03, P.S.- Raniganj, Distt- Araria.
3. Shamshad, aged about 27 years, Male, S/o Jamal, Resident of Village- Parmanandpur, Ward No.03, P.S.- Raniganj, Distt- Araria.
4. Jubair @ Jubair Alam, aged about 27 years, Male, S/o Bechan, Resident of Village- Parmanandpur, Ward No.03, P.S.- Raniganj, Distt- Araria.
5. Arif @ Md. Arif, aged about 30 years, Male, S/o Khaleel, Resident of Village- Parmanandpur, Ward No.03, P.S.- Raniganj, Distt- Araria.
6. Inzar @ Md. Inzar, aged about 28 years, Male, S/o Khaleel, Resident of Village- Parmanandpur, Ward No.03, P.S.- Raniganj, Distt- Araria.
7. Shaukat, aged about 33 years, Male, S/o Jabbar, Resident of Village- Parmanandpur, Ward No.03, P.S.- Raniganj, Distt- Araria.
8. Qaiyum, aged about 45 years, Male, S/o Hanif, Resident of Village- Parmanandpur, Ward No.03, P.S.- Raniganj, Distt- Araria.
9. Jawed, aged about 33 years, Male, S/o Israil, Resident of Village- Parmanandpur, Ward No. 03, P.S.- Raniganj, Distt- Araria.
10. Ekramul, aged about 45 years, Male, S/o Ali Hasan, Resident of Village- Parmanandpur, Ward No.03, P.S.- Raniganj, Distt- Araria.
11. Dawood, aged about 46 years, Male, S/o Kare, Resident of Village- Parmanandpur, Ward No.03, P.S.- Raniganj, Distt- Araria.
12. Rehan @ Md. Rehan, aged about 24 years, Male, S/o Yasib, Resident of Village- Parmanandpur, Ward No.03, P.S.- Raniganj, Distt- Araria.

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Nafisuzzoha, Advocate
For the Opposite Party	:	Mr. Choubey Jawahar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 28-02-2022 Heard learned counsel for the petitioners and learned counsel for the State.

Learned counsel for the petitioners is directed to remove the defects, as pointed out by the office, within a period



of four weeks.

The petitioners are apprehending their arrest in connection with Raniganj P.S. Case No. 316/2020 for the offence registered under Sections 341, 323, 324, 307, 379 and 504/34 of the I.P.C.

The prosecution story, in brief, is that on 20.06.2020 at about 7.30 P.M. in the night, while the informant was coming to his home from his *Kamat*, in the meantime, F.I.R. named accused persons started abusing and assaulted him. Accused Takib assaulted with *Lathi* on the back of the informant, his brother and his uncle. Accused Abbas assaulted the cousin brother and the uncle of the informant with *Farsa* on their heads causing head injury. Accused Takib took Rs. 50,000/- from the pocket of the informant. Accused Takib and Inzar also opened fire in air. In course of assault, accused also snatched silver chain from the neck of cousin brother of the informant.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. General and omnibus allegation has been made against the petitioners. No specific overt act is



alleged against the petitioners. Specific allegation of assault is against co-accused Takib and Abbas. There is case and counter case between the parties. Free fight is alleged to have taken place between the parties. Injury on the side of accused persons has not been explained by the prosecution. The prosecution has not come with clean hands.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, let the petitioners above named, in the event of arrest or surrender before the learned court below within a period of twelve 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 A.C.J.M.-6, Araria, in connection with Raniganj P.S. Case No. 316/2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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