

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53171 of 2022

Arising Out of PS. Case No.-49 Year-2021 Thana- BHEJA District- Madhubani

1. Md. Kalimuddin, Son of Md. Kasim, R/o Village- Balthi, P.S.- Bheja, Dist.- Madhubani
2. Md. Wasim @ Md. Wasim Ahmad, S/o Md. Kasim, R/o Village- Balthi, P.S.- Bheja, Dist.- Madhubani
3. Md. Mazid Alam, Son of Md. Kasim, R/o Village- Balthi, P.S.- Bheja, Dist.- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Bharti, Advocate
For the Opposite Party/s : Mr. Satya Nand Shukla, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 21-12-2022 Learned counsel for the petitioner seeks permission to withdraw the anticipatory bail petition for petitioner No. 3, Md. Mazid Alam.

Permission is granted.

The anticipatory bail petition for petitioner No. 3, Md. Mazid Alam, is dismissed as withdrawn.

Heard learned counsels for the petitioner Nos. 1, 2 and the State.

Petitioners apprehend arrest in a case registered for the offences punishable under Sections 307, 379 and other allied sections of Indian Penal Code.



As per prosecution case, all the 11 F.I.R. named accused persons including these petitioners abused and assaulted the informant. On the orders of Md. Abdullah, Mazid Alam assaulted the informant by means of iron rod which resulted in fracture over his right shoulder. It is further alleged that son and brother of the informant were also assaulted by all the accused persons.

Learned counsel appearing for the petitioners submits that the specific accusation of assault is against one co-accused Mazid Alam. So far these petitioners are concerned, allegation of assault against them is general and omnibus. Petitioners have got clean antecedent.

Learned counsel for the informant vehemently opposes the prayer for bail application submitting that petitioners are named in the F.I.R.

Considering the nature of accusation and clean antecedent, let the above named petitioner Nos. 1 and 2 in the event of their arrest/surrender before the court below within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-I, Jhanjharpur, Madhubani



in Bheja P. S. Case No. 49 of 2021, subject to condition as laid
down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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