

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67959 of 2021

Arising Out of PS. Case No.-170 Year-2021 Thana- AAJAM NAGAR District- Katihar

1. Md. Jamil Son of Late Kurban Ali Resident of Village- Dhumnagar, P.S.- Azamnagar, District- Katihar.
2. Seter @ Sefer Ali @ Sefer Son of Late Kurban Ali Resident of Village- Dhumnagar, P.S.- Azamnagar, District- Katihar.
3. Arshad @ Arsad Son of Sujauddin Resident of Village- Dhumnagar, P.S.- Azamnagar, District- Katihar.
4. Abdul Rahman Son of Azimuddin Resident of Village- Dhumnagar, P.S.- Azamnagar, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajendra Prasad Sah
For the Opposite Party/s : Mr.Pramod Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 18-07-2022 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners apprehend their arrest in Azamnagar P.S. Case No. 170 of 2021, registered for the offences punishable under Sections 307, 379 and other allied sections of the Indian Penal Code.

As per the prosecution case, all the accused persons named in the FIR including petitioners came at the house of informant abused and assaulted the informant, his wife and son. The accused persons also took away ornaments and cash from



pocket of informant.

It is submitted that there is case and counter case. Present case is counter blast of Azamnagar PS Case No. 169 of 2021 which is filed in earlier point of time against informant and others. Allegation of assault is general and omnibus and no specific overt act has been alleged against petitioners. Injuries have been found to be simple in nature. Allegation of snatching of ornaments is superfluous and ornamental. Petitioners bear no criminal antecedents.

Considering the facts aforesaid, the petitioners above-named, in the event of their arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, are directed to 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 the learned Chief Judicial Magistrate, Katihar in connection with Azamnagar P.S. Case No. 170 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

vinita/-

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