

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.9016 of 2023

Arising Out of PS. Case No.-295 Year-2022 Thana- MITHANPURA District- Muzaffarpur

1. Md. Razi Ahmad S/O Abdul Zabbar @ Abdul Zabbar Ansari R/O Village-Tighhara, House No- 21, P.S- Sonaray Tharhi, District- Deoghar, State-Jharkhand
2. Md. Aabid @ Md. Aabid Akhtar S/O Late Quim Ansari R/O Taliya, P.S- Banka, District- Banka, Bihar. At Present Posted As R.T.P.S Operator At Fully Dumar Block, District- Banka, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijendra Kumar Singh

For the Opposite Party/s : Mr.Shailendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-04-2023 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 341, 323, 384, 506, 504, 386/34 of the Indian Penal Code.

Petitioners and other accused persons are said to have assaulted the informant.

Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He submits that occurrence took place on 28.08.2022 but the FIR has been lodged on 05.09.2022 after delay of 9 days without explaining any reasonable cause of delay. He submits that the informant has not brought on record the copy of the agreement with regard to exchange of money nor copy of post dated cheques. He submits that this case is counter case of C.A.



Case No. 428 of 2022 filed by Minnat Aafrin wife of petitioner no. 1. He submits that the informant only to save his skin and pressurize and humiliate the petitioner side has lodged the present case. He submits that there is no specific overt act against the petitioners. He further submits that petitioners have no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances of the case, let the above named petitioners in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five 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 Mithanpura P.S. Case No. 295 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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