

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22587 of 2023

Arising Out of PS. Case No.-31 Year-2023 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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1. MD. SAJJAD @ MD. SAJAD @ SAHJADA Son of Md. Amjad R/V-
Fatehpur Ward no. 13, PS- Muffasil, Dist- Begusarai
 2. Md. Amanat Son of Md. Amjad R/V- Fatehpur Ward no. 13, PS- Muffasil,
Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam, Advocate.

For the Opposite Party/s : Dr. Indihar Kumari, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 24-06-2023 Heard Mr. Sandip Kumar Gautam, learned counsel

appearing on behalf of the petitioners and Dr. Indihar Kumari,

learned APP for the State.

2. The petitioners seek pre-arrest bail in connection
with Muffasil P.S. Case No. 31 of 2023 registered for the
offence punishable under Sections 341, 323, 325, 307, 379 and
504/34 of the Indian Penal Code.

3. As per the allegation made in the F.I.R., the accused
persons named in the F.I.R. including the petitioners assaulted
the informant with iron rod, danda, etc. Specific allegation of
assaulting the informant by means of iron road on his head is
against co-accused Md. Amjad.



4. Learned counsel appearing on behalf of the petitioner submitted that the petitioner no.1 namely Md. Sajjad @ Md. Sajad @ Sahjada is said to have assaulted on the leg of the informant by means of iron rod, but the same is not substantiated by any injury report. So far as the allegation against Md. Amanat is concerned, general and omnibus allegation has been levelled against him.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having considered the rival submissions of the parties as well as the fact that the specific allegation of assaulting the informant by iron rod on his head is against co-accused Md. Amjad and allegation of assaulting with iron rod on the leg of the informant by petitioner no.1 is not substantiated in absence of any injury report while general and omnibus allegation has been levelled against petitioner no.2, I am of the opinion that the petitioners have made out a case to be released on bail.

7. The petitioners, above named, are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten



thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai in connection with Muffasil P.S. Case No. 31 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

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