

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27902 of 2023

Arising Out of PS. Case No.-82 Year-2020 Thana- GADHPURA District- Begusarai

1. MD. JISAN SON OF MD. AZAZ R/O VILLAGE- MALIPUR, P.S.- GARHPURA, DISTRICT- BEGUSARAI
2. MD. FARMAN @ FARMAN ALAM SON OF MD. AZAZ R/O VILLAGE- MALIPUR, P.S.- GARHPURA, DISTRICT- BEGUSARAI
3. MD. ADNAN @ LADLA SON OF MD. FATEH ALAM R/O VILLAGE- MALIPUR, P.S.- GARHPURA, DISTRICT- BEGUSARAI
4. MD. FATEH ALAM @ MD. FATEH SON OF MD. ANISUR RAHMAN R/O VILLAGE- MALIPUR, P.S.- GARHPURA, DISTRICT- BEGUSARAI
5. MD. AZAZ SON OF MD. ISHRAFIL R/O VILLAGE- MALIPUR, P.S.- GARHPURA, DISTRICT- BEGUSARAI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Sumiran Rai, Adv.

For the Opposite Party/s : Mr.Madhura Nand Jha, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-07-2023 Heard the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable u/s 323, 341, 504, 506, 307, 354(A), 379 and 34 of the IPC.

3. As per the prosecution case, the F.I.R. named accused persons including the petitioners indiscriminately assaulted the informant and his family by means of various weapons.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case due to



ulterior motive. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. It is submitted that there is an inordinate and unexplained delay of four days in lodging the F.I.R., which itself creates doubt about the prosecution case. The injury of the injured were found simple in nature. Petitioners have no criminal antecedent.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, considering the delay in lodging the F.I.R. and that the injuries are simple in nature, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, 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 Garhpura P.S. Case No.82 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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