

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38473 of 2023

Arising Out of PS. Case No.-166 Year-2021 Thana- MADHEPUR District- Madhubani

1. Firoz Alam @ Md Firoz S/O MD. WALI R/O Village- Pachahi Bhulahi P.S- Madhepur, Dist.-Madhubani
2. Md. Afaroz S/O Md. Firoz Alam R/O Village- Pachahi Bhulahi P.S- Madhepur, Dist.-Madhubani
3. Md. Pyare S/O Md. Firoz Alam R/O Village- Pachahi Bhulahi P.S- Madhepur, Dist.-Madhubani

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Soban Asghar, Advocate
For the Opposite Party/s : Mr.Kalyan Shankar, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

- 2 28-07-2023 1. Heard the learned counsel for the petitioners and learned APP for the State.
2. This is an application for grant of anticipatory bail in connection with Madhepur P.S. Case No.166 of 2021, registered for offences under Sections 341, 323, 324, 379, 376, 511, 447, 504, 506/34 of the IPC.
3. The allegation is regarding the accused persons having entered the house of the informant, whereafter they had tried to outrage the modesty of the informant.



4. The learned counsel for the petitioners has submitted that the petitioners are innocent, they have been falsely implicated in the present case and they are having a clean antecedent. The learned counsel for the petitioners has further submitted that a general and omnibus allegation as also a superficial allegation has been levelled against the accused persons and no such occurrence, as alleged, had ever taken place.

5. *Per contra*, the learned APP for the State has vehemently opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that a superficial sort of allegation has been levelled against the petitioners, apart from the fact that the petitioners are having a clean antecedent, I deem it fit and proper to admit the petitioners to the privilege of anticipatory bail.

7. Accordingly, the above named



petitioners are directed to be enlarged on anticipatory bail, in the event of their arrest or surrender before the court below, within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st, Jhanjharpur, Madhubani in connection with Madhepur P.S. Case No.166 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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