

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37195 of 2023

Arising Out of PS. Case No.-75 Year-2018 Thana- MANSI District- Khagaria

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1. MD. ABBAS Son of Md. Rudal Resident of village - Rajajan, P.s. - Mansi, Distt. - Khagaria
 2. Md. Kaishar @ Md. Kaushal Uddin Son of Md. Abbas Resident of village - Rajajan, P.s. - Mansi, Distt. - Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar , Advocate

For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 03-08-2023 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend their arrest in a case registered for the offence punishable under sections 447, 341, 323, 354 (a), 308, 379, 504, 506/34 of the Indian Penal Code.

3. Allegation against these petitioners is of assault with iron rod on the head of the informant.

4. It is submitted that both the parties are next door dwellers and due to previous enmity petitioners have been made accused in this case. There is six days delay in lodging the F.I.R for which there is no plausible explanation which itself creates doubt over the veracity of the entire prosecution.



Allegation of assault is general and omnibus. Doctor has found simple injury.

5. Learned counsel for the petitioners oppose the bail petition.

6 Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioners, as named above, 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 learned Judicial Magistrate, 1st class, Khagaria in connection with Mansi P.S. Case No 75 of 2018, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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