

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38047 of 2023

Arising Out of PS. Case No.-61 Year-2022 Thana- AGRER District- Rohtas

1. SAIYED MEHDI HASAN SON OF SYED ANNUL HASAN RESIDENT OF VILLAGE- BARADIH, PS- AGRER, DISTRICT- ROHTAS
2. MANSOOR HASAN @ SAIYAD SON OF SYED ANNUL HASAN RESIDENT OF VILLAGE- BARADIH, PS- AGRER, DISTRICT- ROHTAS
3. MASHKOORUL HASAN @ TAUSEED HASAN SON OF SYED ANNUL HASAN RESIDENT OF VILLAGE- BARADIH, PS- AGRER, DISTRICT- ROHTAS
4. SAIYAD ALTMASS HASAN @ ALMASS HASAN SON OF SYED ANNUL HASAN RESIDENT OF VILLAGE- BARADIH, PS- AGRER, DISTRICT- ROHTAS

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhaneshwar Prasad Gupta, Advocate
For the Opposite Party/s : Mr.Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

- 2 28-07-2023 1. Heard the learned counsel for the petitioners and the learned A.P.P. for the State.
2. This is an application for grant of anticipatory bail in connection with Agrer PS case no. 61 of 2022, registered for the offences punishable under Section 307 and other allied sections of the Indian Penal Code.
3. The allegation is that while the husband of the informant had gone to his paddy field, he saw that the co-accused person namely Mehndi Hasan was trying to destroy



the paddy crops by bringing 15-20 goats in the field, to graze the paddy crops and when the husband of the informant had objected to the same, he was assaulted by the said Mehndi Hasan, whereafter other co-accused persons had also arrived there and assaulted the informant and others.

4. The learned counsel for the petitioners submits 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 has been levelled against the accused persons including the petitioners herein and moreover, no serious injury has been sustained by the informant.

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 general and omnibus allegation has been levelled against the accused persons including the petitioners herein and no serious injury has been sustained by the informant, I deem it fit and appropriate to admit the petitioners to the privilege of anticipatory bail.



7. Accordingly, the abovenamed petitioners, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/ production of a copy of this order, are directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) each with two sureties of the like amount each to the satisfaction of learned court of Sub-Divisional Judicial Magistrate, Sasaram, Rohtas in connection with Agrer PS case no. 61 of 2022, subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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