

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50639 of 2023

Arising Out of PS. Case No.-82 Year-2023 Thana- JAMHOR District- Aurangabad

1. AKMAL HUSSAIN Son of Md. Ibrar Resident of Village-Deoriya, P.S.-Jamhore, District-Aurangabad (Bihar)
2. MD. ILHAJ HUSSAIN @ ALHAJ AHMAD Son of Ibrar Hussain @ Ibrar Ahmad @ Md. Ibrar Hussain Resident of Village-Deoriya, P.S.-Jamhore, District-Aurangabad (Bihar)

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Aman Vishal Mrs. Leelawati Kumari
For the Opposite Party/s	:	Mr. Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 25-08-2023 Heard the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 307 and other allied Sections of the Indian Penal Code.

3. Allegedly, the petitioners and other co-accused persons abused the informant and also brutally assaulted him by means of several weapons due to which got injured.

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. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioners is not specific rather



general and omnibus in nature. There is no specific overt act against the petitioners. The specific allegation is against the co-accused namely, Iman Hussain and Haidar Hussain to assault the informant due to which he sustained grievous injury. Petitioners have no criminal antecedent.

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

6. Having regard to the facts and circumstances of the case as there is no specific overt act against the petitioners, 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 Jamhore P.S. Case No.82 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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