

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55951 of 2023

Arising Out of PS. Case No.-255 Year-2022 Thana- AMAUR District- Purnia

-
1. Md. Nahid Son Of Late Mainuddin Resident Of Village Belgachi Mushar Toli P.S Amaur District Purena
 2. Md. Wahid @ Wahid Son Of Late Mainuddin Resident Of Village Belgachi Mushar Toli P.S Amaur District Purena

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Helal Ahmad

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 14-09-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 447, 341, 323, 307, 379, 354(B), 504 and 506/34 of the Indian Penal Code pending in the learned court below.

3. As per the prosecution case, petitioners along with other co-accused persons are said to have assaulted the informant and her family members.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He further submits that petitioners and informant are own brother living in same house. He submits that the occurrence took place on 18.08.2022 but the FIR lodged on 22.08.2022. He further submits that there is delay of four days in filing of the



present FIR and there is no any explanation of it which creates serious doubt about prosecution case. He further submits that there is general and omnibus allegations levelled against the petitioners. He submits that petitioners have got no criminal antecedent as stated in para-3 of the bail application.

5. Per contra, learned APP for the State vehemently opposing the bail application and submits that the injury found upon the victim is grievous in nature which is clear from the impugned order itself. Hence, they do not deserve anticipatory bail.

6. Considering the facts and circumstances of the case and the fact that the injury found upon the victim is grievous in nature, I am not inclined to enlarge the petitioners on bail in connection with Amour P.S. Case No. 255/2022. Accordingly, their prayer for anticipatory bail is hereby rejected.

7. However, if the petitioners surrender before the learned Court below within a period of six weeks from today and seek regular bail, the learned Court below would pass the order, preferably, on the same day, without being prejudiced by this order.

(Anjani Kumar Sharan, J)

ajay/-

U		T	
---	--	---	--

