

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53331 of 2022

Arising Out of PS. Case No.-60 Year-2021 Thana- BAUSI District- Araria

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1. Md. Shahid S/O Md. Atabul
 2. Md. Mintu S/O Md. Atbaul
 3. Md. Sanjur @ Sanju S/O Md. Atabul
 4. Md. Akhtar S/O Md. Atabul
 5. Md. Atabul S/O Late Rahim
ALL Resident of village- Mohani, Ward No- 14, P.S.- Bausi, District- Araria.
- Petitioner/s

Versus

THE STATE OF BIHAR Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kundan Kumar Singh, Advocate
For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 17-01-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners apprehend their arrest in connection
with Bausi P.S. Case No.60 of 2021 instituted under Sections
341, 323, 325, 354-B, 379, 504, 506, 34 of the IPC.

As per the prosecution story, the informant alleged
that when the children were playing, the petitioner no.5 slapped
his son and when she went to inquire about her, further
allegation is that the petitioner no.5 abused and upon protest, the
other family members also started assaulting in which the
petitioner no.5 Md. Atabul gave 'Kachiya' blow on the head of
the informant. The further allegation against other is/are of



assaulting the other family members as also snatching of amount.

Learned counsel for the petitioners submit that it is a matter of case and counter case for the same occurrence and further so far as injuries are concerned, only one have been found to be grievous in nature.

Learned APP on the other hand submits that so far as petitioner no.5 is concerned, he has given blow on the head and in view of the fact that injuries have been found to be grievous in nature, does not deserve bail.

Taking into account the fact that so far as petitioner no.5, Md. Atabul is concerned there is specific allegation against him of giving blow on the head of the informant causing grievous injury, this Court is not inclined to grant him relief and his anticipatory bail application stands rejected.

So far as the other petitioner nos.1 to 4, namely, Md. Shahid, Md. Mintu, Md. Sanjur @ Sanju, Md. Akhtar are concerned omnibus allegation is there against them, they do not have criminal antecedent as stated in para-3 and all are young, this Court is inclined to extend them the privilege of anticipatory bail.

Let the petitioner no.1 Md. Shahid, petitioner no.2



Md. Mintu, petitioner no.3 Md. Sanjur @ Sanju and petitioner no.4 Md. Akhtar be released on bail, in the event of their arrest or surrender before the Sub-ordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each in connection with Bausi P.S. Case No.60 of 2021 to the satisfaction of learned Chief Judicial Magistrate, Patna, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Rajiv Roy, J)

Prakash Narayan /-

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