

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66459 of 2023

Arising Out of PS. Case No.-189 Year-2023 Thana- TAJPUR District- Samastipur

1. Md. Noor Alam @ Md. Nur Alam Son Of Md. Usman Resident Of Village - Morwa Bazar, Police Station - Tajpur, District - Samastipur
2. Md. Kohinoor @ Md. Kohinur Son Of Md. Usman Resident Of Village - Morwa Bazar, Police Station - Tajpur, District - Samastipur
3. Md. Anwarul Son Of Md. Usman Resident Of Village - Morwa Bazar, Police Station - Tajpur, District - Samastipur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Bhushan Prasad
For the Opposite Party/s : Mr.Harendra Prasad

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

- 2 18-10-2023 1. Heard learned counsel for the petitioners and the State.
2. Petitioners apprehend arrest in a case registered for the offences punishable under Sections 147, 148, 149, 307, 392 and 506 of the Indian Penal Code.
3. As per the prosecution case, when the informant was returning from the gas agency, all the F.I.R. named accused persons including these petitioners assaulted the informant with lathi and snatched cash from the pocket of the informant.
4. It is submitted on behalf of the petitioners that the alleged incident took place on 12.10.2022 in the night but informant filed complaint case on 03.11.2022 after lapse of about 20 days and F.I.R. was lodged on 10.04.2022. This false



case has been filed in retaliation to Tajpur P.S. case no. 459 of 2022 which was filed by one Firoza Khatoon wife of Md. Kohinoor(Petitioner No. 2) against the informant and others on 24.09.2022 prior to the present case. Though there is allegation of assault, but injuries are simple in nature. Petitioners claim clean antecedent.

5. Learned counsel for the State vehemently opposed the prayer for bail.

6. Considering the facts and circumstances of the case, this anticipatory bail is allowed and it is ordered that let the above named petitioners in the event of their arrest/surrender before the court below within a period of six weeks from today, 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 Additional Chief Judicial Magistrate, 1st Barh, Patna in connection with Pandarak P. S. Case No. 120 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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