

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63162 of 2022

Arising Out of PS. Case No.-220 Year-2022 Thana- HUSSAINGANJ District- Siwan

1. SHAHNAWAJ @ MOHAMMAD SHAHNAWAZ @ MD. SHAHNAWAJ
Son of Mainuddin R/V- Hathauri Tola, Mahuwal, P.S- Hussainganj, Dist-
Siwan
2. Mohammad Arfin Akhtar @ Md. Arfin Akhtar Son of Safir Alam R/V-
Hathauri Tola, Mahuwal, P.S- Hussainganj, Dist- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

WITH
CRIMINAL MISCELLANEOUS No. 63346 of 2022

Arising Out of PS. Case No.-220 Year-2022 Thana- HUSSAINGANJ District- Siwan

ABDUL SALAM SON OF LATE MAHFOOZ R/O VILLAGE- HATHAURI
TOLA, MAHUWAL, P.S.- HUSSAINGANJ, DISTRICT- SIWAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 63162 of 2022)

For the Petitioner/s : Mr. Javed Aslam

For the Opposite Party/s : Mr. Satyendra Prasad

(In CRIMINAL MISCELLANEOUS No. 63346 of 2022)

For the Petitioner/s : Mr. Javed Aslam

For the Opposite Party/s : Mr. Satyendra Prasad

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 23-02-2023 As both these bail applications have cropped up from

the same police station case number, hence, with consent of

parties, they are being heard together and disposed of by this

common order.

Heard learned counsel for the petitioners and learned



A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 324, 307 & 504/34 of the Indian Penal Code.

All the F.I.R. named accused persons, including these petitioners and five to six unknown miscreants armed with lathi, iron pipe and illegal country made pistol are said to have attacked on the informant with an intention to kill him. Co-accused Raju assaulted on the head of the informant by means of iron pipe. The reason behind the occurrence is said to be previous enmity.

It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature rather specific allegation of assault has been attributed against the co-accused, Raju. As a matter of fact, on that day several persons were playing Akhara in Taziya procession and thousand people were in procession from several villages. During the course of playing how the informant sustained injury on his eye is not known to anyone and on the next day he lodged the present implicating the



petitioners and his family members. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

Having regard to the facts and circumstances of the case as well as the fact that the allegations against the petitioners are general and omnibus in nature, 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 lower Court where the case is pending/successor Court in connection with Hussainganj P.S. Case No.220 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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