

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66495 of 2023

Arising Out of PS. Case No.-445 Year-2023 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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1. MD. NADIM SON OF MD. MANZOOR @ MD. MANJUR RESIDENT OF VILLAGE - SINGHAUL, POLICE STATION - MUFFASIL (SINGHAUL O.P.), DISTRICT - BEGUSARAI
 2. MD. NASIM SON OF MD. MANZOOR @ MD. MANJUR RESIDENT OF VILLAGE - SINGHAUL, POLICE STATION - MUFFASIL (SINGHAUL O.P.), DISTRICT - BEGUSARAI
 3. MD. JASIM SON OF MD. MANZOOR @ MD. MANJUR RESIDENT OF VILLAGE - SINGHAUL, POLICE STATION - MUFFASIL (SINGHAUL O.P.), DISTRICT - BEGUSARAI
 4. MD. SADDAM SON OF MD. MANZOOR @ MD. MANJUR RESIDENT OF VILLAGE - SINGHAUL, POLICE STATION - MUFFASIL (SINGHAUL O.P.), DISTRICT - BEGUSARAI
 5. MD. KURBAN SON OF MD. MANSOOR RESIDENT OF VILLAGE - SINGHAUL, POLICE STATION - MUFFASIL (SINGHAUL O.P.), DISTRICT - BEGUSARAI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mr.Zainul Abedin

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 19-10-2023 Heard learned counsel for the petitioners as well as the
learned APP for the State.

2. Learned counsel for the petitioners has submitted that during the pendency of this petition, the petitioner No. 5 has been arrested. He, therefore, seeks permission to withdraw this anticipatory bail petition on behalf of the petitioner No. 5.

3. In view of the aforesaid submission, the anticipatory



bail petition in respect of petitioner No. 5 is dismissed as withdrawn as having become infructuous.

4. The rest petitioners apprehend their arrest in connection with Begusarai P.S. Case No. 445 of 2023, registered for the offences punishable under Sections 143, 341, 323, 307, 379, 427, 504, 506 of the Indian Penal Code.

5. As per allegation, the petitioners along with other co-accused came to the house of the informant armed with weapons and started assaulting him. Co-accused Md. Shamsheer assaulted the informant with sword on his head and co-accused Md. Iqbal assaulted the mother of the informant with rod on her head. They also looted Rs. 25,000/- from the shop of the informant.

6. Learned counsel for the petitioners has submitted that the allegations against the petitioners are general and omnibus. They are not the direct assailants. The specific allegation to assault the informant with dagger is on co-accused Md. Shamsheer Jan and to assault the mother of the informant is against Md. Iqbal Jan. Moreover, the injuries are simple in nature.

7. On the other hand, learned APP for the State has opposed the prayer for bail.

8. Considering the above-mentioned facts and circumstances, especially, that the petitioners are not direct assailants, let the petitioner nos. 1 to 4, in the event of their arrest or surrender within four weeks before the learned court below, be released 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 learned Chief Judicial Magistrate, Begusarai in connection with Begusarai Muffasil P.S. Case No. 445 of 2023, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Nawneet Kumar Pandey, J)

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