

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69452 of 2022

Arising Out of PS. Case No.-182 Year-2022 Thana- BAHADURGANJ District- Kishanganj

1. SANFRAZ @ SARFRAZ ALAM S/O Jainoddin R/O Village- Haribasti Bangama, P.S- Bahadurganj, District- Kishanganj
2. Md Alel @ Alil S/O Mazabul Rahman R/O Village- Kharibasti Bangama, P.S- Bahadurganj, District- Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Ranjan, Adv.

For the Opposite Party/s : Mr.Ram Sumiran Rai, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 28-02-2023 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, 325, 307, 354, 384, 386, 504, 506 of the Indian Penal Code.

Allegedly, petitioners along with other accused persons assaulted the informant and his brother. Petitioner no.1 is said to have given an iron rod blow to the informant due to which he sustained injury.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. 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. There is admitted land dispute between the parties. There is case and counter case between the parties. Both sides have filed cases against each other. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposed the prayer for bail by submitting that there is specific allegation against petitioner no.1 that he assaulted the informant by means of an iron rod due to which the informant sustained grievous injury.

Having regard to the facts and circumstances of the case, as there is general and omnibus allegation against petitioner no.2, let the petitioner no.2, be released on bail, in the event of his 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) 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 Bahadurganj P.S. Case No. 182 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

As there is specific allegation against petitioner no.1 to



assault the informant due to which he sustained grievous injury,
I am not inclined to enlarge the petitioner no.1 on bail. The
prayer for bail of the petitioner no.1 is hereby rejected.

Accordingly this application stands partly allowed.

(Anjani Kumar Sharan, J)

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