

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3467 of 2023

Arising Out of PS. Case No.-298 Year-2022 Thana- KUSHESHWARASTHAN District-
Darbhanga

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1. MD. IKRAM S/O MD. CHHOTE BASIR Resident of village - Rampur Raut, P.S.- Kusheshwar Asthan, District- Darbhanga.
 2. MD. MEKAMUL S/O MD. AJIJ Resident of village - Rampur Raut, P.S.- Kusheshwar Asthan, District- Darbhanga.
 3. MD. MEHRAB S/O MD. SARFARAZ Resident of village - Rampur Raut, P.S.- Kusheshwar Asthan, District- Darbhanga.
 4. MD. EKAMUL S/O MD. AJIJ Resident of village - Rampur Raut, P.S.- Kusheshwar Asthan, District- Darbhanga.
 5. MD. IZHARUL @ IZHAULHAK S/O MD. SAKUR Resident of village - Rampur Raut, P.S.- Kusheshwar Asthan, District- Darbhanga.
 6. MD. INKAM S/O MD. SARFARAZ Resident of village - Rampur Raut, P.S.- Kusheshwar Asthan, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Smiti Bharti, Adv.
For the Opposite Party/s : Mr.Raj Ballabh Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 10-02-2023 Heard the parties.

The petitioners apprehend their arrest in a case registered for the offence punishable u/s 341, 323, 324, 308, 379, 504, 506/34 of the IPC.

As per the prosecution case, the F.I.R. named accused persons including the petitioners came to the house of informant and started hurling abuses. Thereafter, they pelted stones at his house and on the order of Bashir, his sons hit the informant with brickbats.

It is submitted by learned counsel for the petitioners that



petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case due to ulterior motive. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. For the alleged occurrence, there is case and counter-case between the parties and both sides have sustained injury. The injury is simple in nature, which is clear from the impugned order itself. Petitioners have no criminal antecedent.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, since the injuries are simple 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 court below where the case is pending/Successor Court in connection with Kusheshwar Asthan P.S. Case No.298 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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