

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1819 of 2023

Arising Out of PS. Case No.-273 Year-2022 Thana- BARUN District- Aurangabad

1. MD. SHANE ALI Son of Md. Makashud Resident of Village- Sheikh Bigha, P.S.- Barun, District- Aurangabad (Bihar)
2. MD. AJAD @ MD. AJAZ Son of Md. Gulampir Resident of Village- Sheikh Bigha, P.S.- Barun, District- Aurangabad (Bihar)
3. MD. SABIR @ PARDESHI Son of Md. Gulampir Resident of Village- Sheikh Bigha, P.S.- Barun, District- Aurangabad (Bihar)
4. KAUSHAR @ KAUSHAR IMAM Son of Md. Khalil Resident of Village- Sheikh Bigha, P.S.- Barun, District- Aurangabad (Bihar)
5. MD. SAHIL @ MOZANMIL RAZA Son of Md. Mumtaj Resident of Village- Sheikh Bigha, P.S.- Barun, District- Aurangabad (Bihar)
6. MD. SONU @ MD. SUHAIL @ SUHAIL KHAN SONU Son of Md. Gulampir Resident of Village- Sheikh Bigha, P.S.- Barun, District- Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ranjit Kumar, Adv.
For the Opposite Party/s	:	Ms. Sangeeta Sharma, APP
For the Informant	:	Mr. Shadab Akhter, Adv.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 17-05-2023 Heard the learned counsel for the petitioners and the learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Barun P.S. Case No. 273 of 2022, registered for the offence punishable under Section 147, 148, 149, 323, 324, 337, 338, 307, 504 and 506 of the Indian Penal Code.

The allegation is regarding one Md. Sabir @ Pardeshi i.e. the petitioner no. 3 having tried to molest the daughter of the informant, whereafter altercation had taken place in between the



family members of the petitioner no. 3 and the informant. It is further alleged that the petitioners had assaulted the informant and his brother, namely, Md. Sadir, resulting in them sustaining injuries.

The learned counsel for the petitioners submits that the petitioners are innocent, they have been falsely implicated in the present case and they are having a clean antecedent. The learned counsel for the petitioners has further submitted that the present case arises out of case and counter case and in fact, the informant and his family members had vandalized the shop of the petitioner no. 3 and moreover, the injuries, found on the person of the injured persons, are simple in nature as is apparent from the injury reports / supplementary injury reports, annexed to the present petition.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioners, taking into account the materials available on record, this Court finds that a general and omnibus allegation has been levelled and moreover, the present case arises out of case and counter case and the injuries, sustained by the injured



persons, have been found to be simple in nature, hence, I deem it fit and proper to admit the petitioners to the privilege of anticipatory bail.

Accordingly, the petitioners are directed to be enlarged on anticipatory bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad, in connection with Barun P.S.Case No. 273 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

Ajay/-

U		T	
---	--	---	--

