

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.172 of 2023

Arising Out of PS. Case No.-167 Year-2022 Thana- AMDABAD District- Katihar

1. Asmara Alam @ Laddu Son Of Amiruddin R/V- English Dakra, P.S.- Amadabad, District- Katihar
2. Riyazat Son Of Nawab Asarif R/V- English Dakra, P.S.- Amadabad, District- Katihar
3. Mahtab Son Of S.K. Asraf R/V- English Dakra, P.S.- Amadabad, District- Katihar
4. Alamgir Son Of Nawab Asarif R/V- English Dakra, P.S.- Amadabad, District- Katihar
5. Tabrej Son Of Jalaluddin R/V- English Dakra, P.S.- Amadabad, District- Katihar
6. Tamrej Alam @ Tamrej Son Of Jalaluddin R/V- English Dakra, P.S.- Amadabad, District- Katihar
7. Karim Miyan Son Of Late Gidru R/V- English Dakra, P.S.- Amadabad, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vikram Singh, Advocate
For the Opposite Party/s	:	Mr. Anant Kumar 1, APP
For the Informant	:	Mr. Musowir, Advocate

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 02-05-2023 Heard learned counsel for the petitioners and learned A.P.P. for the State assisted by learned counsel for the informant.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 307, 324, 379, 504, 506 and 34 of the Indian Penal Code.

As per the prosecution case, the allegation against



the petitioners is that they, along with other accused persons, have assaulted the informant and his brothers.

Learned counsel for the petitioners submits 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. He submits that, Dr. Shiv Kumar Singh, issued the injury reports giving wrong injuries, so the petitioners made a complaint before the D.M., and show-cause has been issued to the concerned Doctor, namely, Shiv Kumar Singh. Then, Dr. Shiv Kumar Singh submitted his apology saying that injury report was false and he had to issue the same under threats and undertook to not commit mistakes in future. Later on, the Medical Board examined the injured persons and found that injury was simple in nature. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State as well as learned counsel for the informant oppose prayer for anticipatory bail.

Having regard to the facts and circumstances of the case and the nature of injury, 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 Amadabad P.S. Case No.167 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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