

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6355 of 2024

Arising Out of PS. Case No.-353 Year-2023 Thana- CHAKAI District- Jamui

1. Abul Kalam SON OF LATE MD. FAHIM RESIDENT OF VILLAGE- SAHRON BAZAAR, PS- CHAKAI, DISTT- JAMUI
2. ANWAR @ MD. ANWAR SON OF LATE MD. FAHIM RESIDENT OF VILLAGE- SAHRON BAZAAR, PS- CHAKAI, DISTT- JAMUI
3. JAVED @ JAVED EKBAL SON OF LATE MD. FAHIM RESIDENT OF VILLAGE- SAHRON BAZAAR, PS- CHAKAI, DISTT- JAMUI
4. MD. SONU @ SONU SON OF LATE MD. FAHIM RESIDENT OF VILLAGE- SAHRON BAZAAR, PS- CHAKAI, DISTT- JAMUI
5. MD. MERAJ @ MERAJ HUSSAIN SON OF MD. MUMTAJ RESIDENT OF VILLAGE- SAHRON BAZAAR, PS- CHAKAI, DISTT- JAMUI
6. MD. VAZID @ MD. VAZID HUSSAIN SON OF MD. MUMTAJ RESIDENT OF VILLAGE- SAHRON BAZAAR, PS- CHAKAI, DISTT- JAMUI

... .. Petitioners.

Versus

The State of Bihar.

... .. Opposite Party.

Appearance :

For the Petitioner/s	:	Mr. Rajendra Nath Sinha, Advocate
For the Opposite Party/s	:	Mr. Rajiv Nayan, APP
For the Informant	:	Mr. Satya Prakash Parasar, Advocate

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 20-02-2024 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 325, 307 & 504 of the Indian Penal Code.

3. All the F.I.R. named accused persons including these petitioners are said to have assaulted the informant and his son.

4. It is submitted by learned counsel for the petitioners 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. During scuffle both sides have sustained injuries and both sides have filed cases against each other. The injury sustained by the victim is simple in nature. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Having regard to the facts and circumstances of the cases the allegation against petitioner nos.2 to 6 are general and omnibus in nature, let the above named petitioner nos.2 to 6, 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 Chakai P.S. Case No. 353 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

6. Considering the facts and circumstances of case as well as the fact that there is specific allegation against petitioner no.1, I am not inclined to enlarge petitioner no.1 on anticipatory bail. The prayer for anticipatory bail of the petitioner no.1 is hereby rejected. However, the petitioner is directed to surrender



before the learned Court below within six weeks from today and seek regular bail and the learned Court below would pass order in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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