

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11430 of 2024

Arising Out of PS. Case No.-911 Year-2022 Thana- BAIRGACHHAI District- Araria

1. SAKIR @ MD. SAKIR SON OF AMINUR RASHEED R/O-MANIKPUR, WARD NO. 11, P.S.-ARARIA (BAIRGACHHI), DISTT.-ARARIA
2. RASHID @ MD. RASHID SON OF AMINUR RASHEED R/O-MANIKPUR, WARD NO. 11, P.S.-ARARIA (BAIRGACHHI), DISTT.-ARARIA
3. SAKIB @ MD. SAKIB SON OF AMINUR RASHEED R/O-MANIKPUR, WARD NO. 11, P.S.-ARARIA (BAIRGACHHI), DISTT.-ARARIA
4. ABU TALHA SON OF AMINUR RASHEED R/O-MANIKPUR, WARD NO. 11, P.S.-ARARIA (BAIRGACHHI), DISTT.-ARARIA
5. NAJMEEN @ NAJMEENA WIFE OF AMINUR RASHEED R/O-MANIKPUR, WARD NO. 11, P.S.-ARARIA (BAIRGACHHI), DISTT.-ARARIA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gopal Kumar Jha, Advocate
For the Opposite Party/s : Mr. Abhay Kumar Roy, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 22-02-2024 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend arrest in a case registered for the offences punishable under Sections 341, 323, 324, 307, 379, 504, 506/34 of the Indian Penal Code.

3. It is alleged that petitioner Nos. 1 and 3 assaulted the informant by means of sword and iron rod and all the accused persons took Rs. 15,000/- from the Atta chakka mill of the informant.



4. It is submitted that though there is specific allegation of assault against the petitioner Nos. 1 and 3 but there is no injury report on the record and so far petitioner Nos. 2, 4 and 5 are concerned, allegation against them is general and omnibus. It is further submitted that after investigation, police submitted charge-sheet under Sections 341, 323, 324, 504, 506/34 of the Indian Penal Code against the petitioners. Learned counsel for the petitioners next submits that the present case is counter blast of Araria (Bairgachhi) P. S. Case No. 912 of 2022 which was lodged by the petitioner No. 2 against the informant and others under Sections 341, 323, 324, 307, 354(B), 379, 504, 506/34 of the Indian Penal Code on 25.10.2022. Petitioners claim clean antecedent.

5. Considering the aforesaid facts and circumstances of the case, this anticipatory bail is allowed and it is ordered that let the above named petitioners in the event of their arrest/surrender before the court below within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 1st Class, Araria in connection with Araria (Bairgachhi) P. S. Case No. 911 of 2022, subject to condition as laid down under Section



438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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