

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18932 of 2024**

Arising Out of PS. Case No.-280 Year-2022 Thana- BAHERA District- Darbhanga

1. Md. Kafil @ Md. Kafil Ahmad @ Gorka @ Gorkha Son of Md. Shabbir Ahmad @ Md. Shabbir R/o Village- Badarbanna, P.S.- Bahera, District- Darbhanga
2. Md. Parwez @ Md. Anwar Ahmad Son of Md. Ahmad @ Md. Shabbir R/o Village- Badarbanna, P.S.- Bahera, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeshkumar Singh, Advocate
For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 15-03-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in connection with Bahera P.S. case No. 280 of 2022 instituted for the offences under Sections 147, 148, 341, 323, 325, 308, 379, 448, 427, 506 of the Indian Penal Code.

3. Prosecution story, in short, is that the petitioners and other co-accused persons entered the house of the informant and assaulted the informant and her family members causing injuries



to them and while leaving they took away a number of household articles from the house of the informant. The occurrence took place in the background of some earlier enmity.

4. Learned counsel for the petitioners submitted that petitioners have falsely been implicated in the present case. Learned counsel for the petitioners submits that general and omnibus allegation has been made against these petitioners. No specific overt act is alleged against these petitioners. Charge-sheet has been submitted in this case. Similarly situated co-accused person has already been granted anticipatory bail by a Coordinate Bench of this Court vide order dated 02.08.2023 passed in Cr. Misc. No. 41102 of 2023. It has been submitted on behalf of the petitioners that the petitioners are in custody since 16.11.2022 and have four criminal antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances of the case, no direct allegation, claim based on parity the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

7. Let the petitioners be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties



of the like amount each to the satisfaction of Court
below/concerned Court in connection with Bahera P.S. case No.
280 of 2022.

Alok Verma/-
(Rudra Prakash Mishra, J)

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