

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28043 of 2024

Arising Out of PS. Case No.-377 Year-2023 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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1. Md. Shawaj @ Md. Sahwaj Son of Abdul Manan R/V - Kharaj Hakimabad, Ward No. 3, P.S.- Muffasil, Dist.- Samastipur
 2. Abdul Hanan @ Hanan Son of Abdul Khalik R/V - Kharaj Hakimabad, Ward No. 3, P.S.- Muffasil, Dist.- Samastipur
 3. Md. Salaman @ Iqubal Danish @ Salaman son of Abdul Kalam R/V - Kharaj Hakimabad, Ward No. 3, P.S.- Muffasil, Dist.- Samastipur
 4. Abdul Kalam @ Md. Kalam Son of Abdul Khalik R/V - Kharaj Hakimabad, Ward No. 3, P.S.- Muffasil, Dist.- Samastipur
 5. Abdul Manan Son of Abdul Khalik R/V - Kharaj Hakimabad, Ward No. 3, P.S.- Muffasil, Dist.- Samastipur
 6. Md. Sohail @ Ladle Son of Abdul Kalam R/V - Kharaj Hakimabad, Ward No. 3, P.S.- Muffasil, Dist.- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Ajay Kumar, Advocate
For the State	:	Mr. Ram Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 10-07-2024 Heard learned counsels for the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 341, 323, 324, 337, 307, 354, 379, 504 and 34 of the Indian Penal Code.

3. As per prosecution case, on the alleged date and time of occurrence, while the informant and others were carrying out a procession, all the F.I.R. named accused persons,



including these petitioners, obstructed and assaulted them.

4. It is submitted by learned counsel appearing on behalf of the petitioners that allegation of assault is general and omnibus. No specific accusation of any overt act has been alleged against these petitioners. There is case and counter-case between the parties. Injuries allegedly caused by these petitioners has been opined to be simple in nature. Petitioners claim clean antecedents.

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

6. Considering the aforesaid facts and circumstances, nature of injuries sustained by the injured and clean antecedents of the petitioners, the prayer for grant of anticipatory bail to the petitioners is allowed.

7. Accordingly, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioners 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 learned A.C.J.M. II, Samastipur, in connection with Muffasil P.S. Case No. 377 of 2023, subject to condition as laid down under Section 438(2) of



the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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