

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28370 of 2024

Arising Out of PS. Case No.-191 Year-2023 Thana- BALIYA District- Begusarai

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1. Md. Zahid @ Md. Jahid Son of Md. Masood @ Md. Masoud Resident of Village- Kasba Salehchak (Salehchak), Ward No. 10, P.S.- Baliya, Dist.- Begusarai
 2. Md. Kaif @ Md. Kaef Son of Md. Mustaque @ Md. Mustak @ Md. Mustaf Resident of Village- Kasba Salehchak (Salehchak), Ward No. 10, P.S.- Baliya, Dist.- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Adv.
For the Opposite Party/s : Mr. Ahmad Ali, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 20-05-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with Baliya P.S. Case No. 191 of 2023 dated 18.07.2023, instituted for the offence punishable under Sections 147, 341, 323, 324, 307, 506 and 379 of the Indian Penal Code.

3. The prosecution case, in short, is that petitioners along with other accused persons snatched golden chain of worth Rs. 60,000/- and one plus mobile worth of Rs. 30,000/- from the informant. Upon protest all the F.I.R. named persons assaulted on the head of the informant by means of iron rod.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. It is submitted that there is specific allegation against Md. Aadil



and Md. Isteyak that they assaulted the informant with iron rod on the head of the informant. Injury report of the informant reveals one head injury, which is simple in nature. It is also submitted that there is no specific allegation with regard to assault on vital part of the petitioner rather the allegation is general and omnibus. It is submitted that the date of occurrence is on 13.07.2023 but the present F.I.R. has been lodged on 18.07.2023 i.e., after five days of the occurrence. Lastly, it has been submitted that they have no criminal antecedent.

5. Learned A.P.P. has opposed the prayer for bail of the petitioners.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioners in connection with Baliya P.S. Case No. 191 of 2023, they shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Begusarai, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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