

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35154 of 2024

Arising Out of PS. Case No.-1 Year-2024 Thana- PHULWARIA District- Begusarai

1. Md Rakim @ Rakib Son of Md. Shahid Resident of Village- Baro Gachi Tola, Ward No.- 27, P.S- Phulwariya, Dist- Begusarai
2. Md. Nasimuadin @ Urfu @ Md. Nasimuddin @ Irfan Son of Md. Shahid Resident of Village- Baro Gachi Tola, Ward No.- 27, P.S- Phulwariya, Dist- Begusarai
3. Md Javed @ Md Sahbaj @ Sahbaj @ Md. Javed Son of Md. Sultan @ Boku @ Sultan @ Baku Resident of Village- Baro Gachi Tola, Ward No.- 27, P.S- Phulwariya, Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr.Shashank Shekhar, Advocate
For the Opposite Party	:	Mr.Ram Naresh Ray, APP
For the Informant	:	Mr. Abhash Priyadarshi, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 02-08-2024 Heard learned counsel for the petitioners and learned counsel for the informant as well as learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Phulwariya P.S Case No. 01/2024 dated 05.01.2024 registered for the offence punishable u/s 147, 148, 149, 341, 323, 302 and 458 of the Indian Penal Code.

3. As per the prosecution case, the petitioner and the co-accused persons are alleged to have entered the house of the informant and assaulted him and his family members with iron



rod, belt and *danda* due to that they sustained severe injuries and one Shahin Praween died during the course of treatment.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. The other co-accused person has already been granted regular bail by this court *vide* order dated 16.05.2024 passed in Cr. Misc. No. 35264/2024. Learned counsel has submitted that as per the post-mortem report no external injury was found on the body of the deceased. The petitioner no. 1 is accused in two other criminal cases whereas the petitioner no. 2 and 3 are accused in one more criminal cases as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State as well as learned counsel for the informant have vehemently opposed the prayer of anticipatory bail of the petitioners.

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation against the petitioners, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Court



concerned, Begusarai in connection with Phulwariya P.S. Case No. 01/2024, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure, with further condition:-

(i). The petitioners are directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioners are liable to be cancelled.

7. This application stands allowed.

(Chandra Prakash Singh, J)

atul/-

U		T	
---	--	---	--

