

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38577 of 2024

Arising Out of PS. Case No.-252 Year-2023 Thana- DARBHANGA District- Darbhanga

1. Md. Farhan Son of Ziaur Rahman @ Kari @ Md. Jiyaur Rahman Resident of Village- Lalbagh Bhagat Singh Chowk, Ansari Mohalla ,P.S- Darbhanga Town, Dist- Darbhanga
2. Md. Faijan @ Faijan Son of Ziaur Rahman @ Kari @ Md. Jiyaur Rahman Resident of Village- Lalbagh Bhagat Singh Chowk, Ansari Mohalla ,P.S- Darbhanga Town, Dist- Darbhanga
3. Naruddin Lucky @ Nuruddin @ Noor Hassan Son of Abdul Hasan Resident of Village- Lalbagh Bhagat Singh Chowk, Ansari Mohalla ,P.S- Darbhanga Town, Dist- Darbhanga
4. Ziaur Rahman @ Kari @ Md. Jiyaur Rahman Son of Late Alam Resident of Village- Lalbagh Bhagat Singh Chowk, Ansari Mohalla ,P.S- Darbhanga Town, Dist- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Virendra Kumar
For the Opposite Party/s : Mr. Shailendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 02-08-2024 1. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Darbhanga (Town) Police Station Case No. 252 of 2023, disclosing offences under Sections 147, 148, 149, 323, 324, 307, 341, 448, 427, 386, 379, 504, 506 of the Indian Penal Code.
3. As per the First Information Report, on 18.08.2023, while the informant was cleaning drain with the help of staff,



the accused persons, altogether sixteen in numbers including the petitioner along with twenty five unknown persons, arrived there, abused the informant, entered into the house and looted the household articles. It has further been alleged that petitioner no. 2 Md. Faijan along with other co-accused Md. Nadeem and Md. Tamanne assaulted the son of the informant.

4. Learned Counsel for the petitioners submits that the occurrence has taken place due to dispute regarding passage in the village. The co-accused, Md. Nadeem, having the similar allegation as that of petitioner no. 2 has been granted anticipatory bail by this Court in Cr. Misc. No. 20693 of 2024. The allegation against the other accused persons is general and omnibus in nature. The co-accused having general and omnibus allegation has also been granted bail by this Court in Cr. Misc. No. 12497 of 2024. The injuries caused to the victims are simple in nature.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that similarly situated co-accused persons have been granted bail by this Court and the injuries caused to the victims are simple in nature, I am inclined to grant the petitioners privilege of anticipatory bail.

6. This application is, accordingly, allowed.



7. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Darbhanga, in connection with Darbhanga (Town) Police Station Case No. 252 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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