

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.38617 of 2024**

Arising Out of PS. Case No.-837 Year-2023 Thana- LAKHISARAI District- Lakhisarai

Md. Rustam, S/O Mumtaz, R/O Village- English Ward No. 04, P.S and District- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Mukesh Kumar, Advocate

For the Opposite Party/s : Mr.Bharat Bhushan, APP

**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA**  
**ORAL ORDER**

2      26-06-2024                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. In the present case, the petitioner is apprehending his arrest in connection with Lakhisarai P.S. Case No. 837 of 2023 registered for the alleged offences under Sections 448, 341, 323, 324, 307, 504, 506/34 of the Indian Penal Code.

3. As per prosecution case, the petitioner and other co-accused persons surrounded the two sons of the informant over some earlier business dispute and assaulted them with iron rod, knife, *khanti* etc. causing fracture of their heads. When the informant and her husband came for their rescue, they were also assaulted.

4. The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this



case. There is general and omnibus allegation against the petitioner and no specific over act has been attributed to the petitioner. The present case is counterblast of Lakhisarai P.S. Case No.838/2023 which was lodged by the father of the petitioner against the husband of the informant and others. The learned counsel further submits that the injuries sustained by the victims are stated to be simple in nature caused by hard and blunt substance, which falsifies the allegation of use of knife or any pointed weapon like *khanti*. The learned counsel further submits that good sense has been prevailed between the parties and a compromise petition has also been filed before the learned court of Chief Judicial Magistrate, Lakhisarai. The petitioner is having no criminal antecedent.

5. Learned APP opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the case and counter case between the parties and the fact that the injuries are stated to be simple in nature and further considering the possibility of false implication, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, 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, Lakhisarai, in connection with Lakhisarai P.S. Case No. 837 of 2023, subject to the conditions mentioned in Section 438(2) of the Cr.P.C. and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

**(Arun Kumar Jha, J)**

V.K.Pandey/-

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