

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49442 of 2024

Arising Out of PS. Case No.-255 Year-2023 Thana- CHANDRADIP District- Jamui

1. Shoib Ahamad @ Md. Soyeb Ahmad S/O Late Samsuddin @ Samu R/O Village-Islamnagar, P.S.-Chandradip, Distt-Jamui
2. Sohail Ahamd @ Md. Sohel Ahmad S/O Late Samsuddin R/O Village-Islamnagar, P.S.-Chandradip, Distt-Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Amar Prakash, Advocate
For the Opposite Party/s	:	Mr. Satya Nand Shukla, A.P.P.
For the Informant	:	Mr. Vikramadit, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 27-08-2024 Heard learned counsel for the petitioners, informant and the State.

2. Petitioners apprehend arrest in a case registered for the offences punishable under Sections 341, 323, 326, 307, 379, 448, 504 and 506/34 of the Indian Penal Code.

3. As per prosecution case, on 15.12.2023, when the informant was at his house, all the accused persons including these petitioners entered into his house and started to abuse informant in filthy language. It is further alleged that the accused persons started demanding due amount of *bhattha* and when informant objected that he has already paid the rent, all the accused persons assaulted him with fists, legs and iron rod. Furthermore, petitioner No. 2 is alleged to have put towel around neck of informant and tried to strangulate him and when



nephew of informant came to rescue him, all the accused persons assaulted him with butt of pistol. Further case of informant is that these petitioners assaulted brother of informant with iron rod and later on, upon arrival of co-villagers, the accused persons fled away.

4. Learned counsel for the petitioners submits that due to money dispute between the parties, a simple occurrence of maar-peet took place. Informant is brother-in-law of these petitioners. Allegation of assault against these petitioners is general and omnibus. Petitioners have got one criminal antecedent in which they are on bail.

5. Learned counsel for the informant vehemently opposed the bail application and submitted that there is specific accusation against these petitioners that these petitioners assaulted informant and others as a result of which informant and his nephew sustained grievous injury.

6. Considering the nature of accusation and injury, prayer for bail of the petitioners is refused.

(Prabhat Kumar Singh, J)

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