

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55873 of 2024

Arising Out of PS. Case No.-696 Year-2023 Thana- DARBHANGA SADAR District-
Darbhanga

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1. Md. Akbar Rayeen Son of Md. Sohrab @ Md. Soharab Rayeen
 2. Md. Akil Son of Md. Rustam Rayeen
 3. Md. Wakil Son of Md. Rustam Rayeen
 4. Md. Rustam Rayeen @ Md. Rustam Son of Late Abdul Rashid Rayeen
 5. Md. Soharab Son of Late Abdul Rashid Rayeen @ Late Abdul Rasi Rayeen
- All are R/O Vill.- Islampur, P.s.- Sadar, Dist.- Darbhanga.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Nilendu Kumar Choudhary, Advocate
For the Opposite Party/s :	Ms.Rita Verma, APP
	Ms. Kanchan Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 04-09-2024 1. Heard learned counsel for the petitioners, learned
APP for the State and the learned counsel appearing on behalf of
the informant.

2. The petitioners seek bail in anticipation of their
arrest in a case registered for the offences punishable under
Sections 341, 323, 504, 307, 506, 379 and 34 of the IPC in
connection with Sadar P.S. Case No.696 of 2023.

3. The learned counsel for the petitioners submit that
petitioner no.1 has antecedent of two cases as pleaded in the
supplementary affidavit and rest of the petitioners are persons
with clean antecedent. It is next submitted that from perusal of



the allegation as alleged in the FIR, it would manifest that the informant alleges that on account of dispute relating to land the accused persons came and petitioner no.1 assaulted him by a sharp edged weapon, causing injury on head. It is further submitted that as far as other petitioners are concerned the allegation of assault against them is general and omnibus in nature i.e. no specific allegation of assault is alleged against them. It is also submitted that though petitioner no.1 is alleged to have assaulted the informant by a sharp edged weapon, but then from perusal of the injury report it would manifest that the injury was caused by hard blunt substance and the injury has been opined to be simple, which amply demonstrates that petitioners never had any intention of committing a serious occurrence and the blow was not repeated.

4. The learned APP and the learned counsel appearing on behalf of the informant opposes the anticipatory bail application of the petitioners, but then are not in a position to rebut the submission of the learned counsel appearing on behalf of the petitioners that the injuries suffered by the informant is not by a sharp edged weapon, but hard blunt substance and the injury is simple in nature.

5. Considering the submissions made by the learned



counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on anticipatory bail on their furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Darbhanga in connection with Sadar P.S. Case No.696 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

6. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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