

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54572 of 2024

Arising Out of PS. Case No.-367 Year-2024 Thana- KATIHAR NAGAR District- Katihar

1. MD. AFZAL HUSSAIN @ MD. AFZAL SON OF LATE MD. SHAHEED
R/V- VILLAGE- RAMPARA, P.S.- KATIHAR NAGAR, DISTT.-
KATIHAR
2. MD. ANJUM @ MD. ANJUM ALAM SON OF LATE MD. SHAHEED
R/V- VILLAGE- RAMPARA, P.S.- KATIHAR NAGAR, DISTT.-
KATIHAR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kunwar Ajit Singh, Advocate
For the Opposite Party/s : Mr. Sunil Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 04-09-2024 Heard learned counsel for the petitioners and the

State .

2. Petitioners apprehend their arrest in a case
registered for the offence punishable under sections 341 , 323 ,
307, 504, 506 and 34 of the Indian Penal Code .

3 . As per prosecution case , on the alleged date and
time of occurrence , when informant was parking his car on



road, in the meantime an auto rickshaw driver came and abused him and after one hour when the brother of informant went near car then all the accused persons including these petitioners assault brother of informant and on hulla when public gathered there , all the accused persons fled away .

4. It is submitted on behalf of the petitioners that from bare perusal of F.I.R., it is apparent that allegation of assault is general and omnibus and no specific overt act is alleged against these petitioners. It is further submitted that due to intervention of well wishers the dispute between the parties have already been settled for which compromise petition has been filed in the Court below on 07.08.2024 i. e., Annexure - 2 of supplementary affidavit. Petitioners claim clean antecedent.

5. Learned counsel for the State does not dispute the contention made on behalf of petitioners.

6 Considering the fact that dispute between the parties have already been compromised, clean antecedent of these petitioners and other circumstances of the case, in the event of arrest or surrender within eight weeks from today, let the petitioners, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of the learned



CJM Katihar in connection with Katihar Nagar P.S. Case No.
367 of 2024 , subject to the conditions laid down under section
438(2) of the Code of Criminal Procedure .

(Prabhat Kumar Singh, J)

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