

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54226 of 2024

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

1. Md. Chand @ Md. Nasir Hussain @ Md. Nazir Hussain Sonof Md. Kasim @ Md. Bablu R/V- Village- Rampara, P.S.- Katihar Nagar, Distt.- Katihar
2. Md. Raza @ Md. Ajar Ahmad @ Md. Ajaz Ahmad Sonof Late Md. Razzaque @ Abdul Razzaque 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, Adv.

For the Opposite Party/s : Mr. Sunil Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 20-09-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Katihar Nagar P.S. Case No. 367 of 2024 registered under Sections 341, 323, 307, 504, 506 and 34 of the Indian Penal Code.

3. As per prosecution case, on 09.06.2024, when informant was parking his car, in the meantime an auto rickshaw driver came and abused him. People came there and pacified the matter. After one hour, when the brother of informant went near car, then all the accused persons including these petitioners assaulted brother of informant, and on *hulla* when public



gathered there, all the accused persons fled away.

4. Learned counsel appearing on behalf of the petitioners submits that petitioners are innocent and have falsely been implicated in the present case due to previous enmity and village politics. Allegation of assault is general and omnibus. Though there is allegation that four FIR named accused persons assaulted brother of informant, but as per injury report, injured sustained only two injuries, which itself falsify the prosecution story. It is further submitted that similarly situated co-accused persons have already been granted bail by this Court *vide* order dated 04.09.2024 passed in Cr. Misc. No. 54572 of 2024. Petitioners claim clean antecedent.

5. Learned A.P.P. appearing on behalf of the State opposed the bail application.

6. Having considered the aforesaid facts and circumstances of the case and similarly situated co-accused persons have already been granted bail, let the above named petitioners be released on bail, in the event of arrest or surrender before the learned court below within a period of eight weeks from today, on furnishing bail-bonds of Rs. 10,000 (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar in



connection with Katihar Nagar P.S. Case No. 367 of 2024,
subject to the conditions as laid down under Section 438(2) of
the Cr. P.C.

(Prabhat Kumar Singh, J)

utkarsh/-

U		T	
---	--	---	--

