

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59339 of 2023

Arising Out of PS. Case No.-41 Year-2023 Thana- MANSURCHAK District- Begusarai

1. Md. Jobair Son Of Md. Haneef Village- Rajapur Ragho, Ward No 13, Ps- Mansurchak, Dist- Begusarai
2. Md. Tufail Son Of Md. Haneef Village- Rajapur Ragho, Ward No 13, Ps- Mansurchak, Dist- Begusarai
3. Md. Obaidullah Son Of Md. Haneef Village- Rajapur Ragho, Ward No 13, Ps- Mansurchak, Dist- Begusarai
4. Md. Hedaitullah Son Of Md. Haneef Village- Rajapur Ragho, Ward No 13, Ps- Mansurchak, Dist- Begusarai

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Mukesh Kumar Thakur, Adv.
For the Opposite Party/s	:	Mr. Shahabuddin Azeem @ S. Azeem, APP.
For the Informant	:	Mr. Md. Abu Shajar, Adv.
		Mr. Nazir Ansari, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 19-01-2024 Heard learned counsel for the petitioners, learned counsel for the informant and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 323, 307, 341, 354, 504, 506 and 379 of the Indian Penal Code.

3. As per the F.I.R., allegation against the petitioners is that they along with other co-accused persons have assaulted the informant and her family members due to which they got badly injured. Petitioner no.1 has tried to outrage the modesty of the



informant.

4. It is submitted by learned counsel for the petitioners that petitioners are quite and have committed no offence. No such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is case and counter-case between the parties. Both the parties have sustained injuries. The injury sustained by the husband of the informant caused by petitioner no.1 is grievous in nature and injury of the other persons are found simple in nature, it is clear from the injury report. There is no specific overt act against the petitioner nos. 2, 3 and 4. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, considering there is no specific overt act against the petitioner nos. 2, 3 and 4, let the above named petitioner nos. 2, 3 and 4, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the



like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Mansurchak P.S. Case No. 41 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

7. However, the allegation of assaulting the informant and his family members due to which they got badly injured and also tried to outrage the modesty of the informant is serious in nature, I am not inclined to enlarge petitioner no.1 on anticipatory bail. The prayer for bail of the petitioner no.1 is hereby rejected.

(Anjani Kumar Sharan, J)

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