

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62041 of 2024

Arising Out of PS. Case No.-78 Year-2022 Thana- DIGHALBANK District- Kishanganj

1. Akmal @ Ajmal Alam S/o Afaque Alam @ Gulam Sarwar Resident of Village - Tulsia Gadhibasti, P.S- Dighalbank, Distt.- Kishanganj.
2. Afaque Alam @ Gulam Sarwar S/o Paddu Alam Resident of Village - Tulsia Gadhibasti, P.S- Dighalbank, Distt.- Kishanganj.
3. Azmeri @ Azmera Khatoon W/o Afaque Alam @ Gulam Sarwar Resident of Village - Tulsia Gadhibasti, P.S- Dighalbank, Distt.- Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kumar, Advocate.

For the Opposite Party/s : Mr.Md. Matloob Rab, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 25-09-2024 Heard Mr. Raj Kumar, learned counsel appearing on behalf of the petitioners and Mr. Md. Matloob Rab, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Dighalbank P.S. Case No. 78 of 2022 registered for the offence punishable under Sections 341, 323, 325, 307 and 504/34 of the Indian Penal Code.

3. As per the allegation made in the F.I.R., the petitioners were found to have plucked the betel nut from the informant's tree which was objected by the informant and in retaliation all the accused persons named in the F.I.R. including



the petitioners had assaulted the informant with an intention to kill.

4. Learned counsel appearing on behalf of the petitioners submitted that general and omnibus allegation has been alleged against all the three petitioners. Petitioner no.1 is the son of petitioner nos. 2 and 3 and they are closely related with the informant who is the maternal uncle of petitioner no.1 and brother-in-law of petitioner no.2 and own brother of petitioner no.3 and it appears that for trivial reason, a false case has been lodged against the petitioners.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioners.

6. Considering the nature of allegation against the petitioners to be general and omnibus, the petitioners, above named, are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned CJM, Kishanganj in connection with Dighalbank P.S. Case No. 78 of 2022, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

7. The District Court is directed to verify the criminal



antecedent of the petitioners and if it is found that the petitioners are involved in some other cases as what has been stated in Para-3 of the bail petition, this order will automatically lose its force.

8. The bail application stands disposed of.

(Purnendu Singh, J)

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