

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61367 of 2024

Arising Out of PS. Case No.-147 Year-2024 Thana- PUPRI District- Sitamarhi

1. Md. Ajhar @ Md. Ajhar Sheikh Son of Md. Shahid @ Md. shahid Sheikh @ Shahid Resident Of Village- Belmohan Halim Tola, PS- Pupri, Distt.- Sitamarhi
2. Md. Arasi @ Md. Arase Sheikh Son of Md. Shahid @ Md. shahid Sheikh @ Shahid Resident Of Village- Belmohan Halim Tola, PS- Pupri, Distt.- Sitamarhi
3. Md. Ahmad Son of Md.Shahid @ Md. Shahid Sheikh @ Shahid Resident Of Village- Belmohan Halim Tola, PS- Pupri, Distt. - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Sanjay Kumar, Advocate
For the Opposite Party/s	:	Mr.Zainul Abedin, APP
For the informant	:	Mohammad Modassir Shams, Advocate

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 11-09-2024 Heard learned Counsel for the petitioners and learned
APP for the State.

2. The petitioners are apprehending arrest in connection with Pupri P.S. Case No. 147/2024 registered on 28.03.2024 for the offenses punishable under Sections 147, 149, 341, 323, 324, 307, 504, 506 of the Indian Penal Code.

3. As per the prosecution, the FIR has been lodged against six named accused persons alleging therein that they all attacked on the informant's son when he was coming outside a Mosque after performing Namaz.



4. It is submitted by learned counsel for the petitioners that the petitioners are innocent and have committed no offence. The allegation is omnibus and general. He further submits that Section 307 of the I.P.C. is not made out as injury is there but it is at the hand though grievous in nature. The antecedent of the petitioners is clean. Learned counsel for the petitioners also submits that the present case is the counterblast of Pupri P.S. Case No. 162/2024 but a copy of the said FIR has not been attached to the present petition.

5. Learned counsel for the informant vehemently opposes the prayer for bail and submits that there is a specific allegation against the petitioners that they in connivance with each other have brutally assaulted the son of the informant which transpires from the injury report annexed as Annexure -2 itself.

6. Learned APP for the State vehemently opposes the prayer for bail.

7. In this background, this Court is not inclined to grant bail to the petitioners. Accordingly, the prayer for bail of the petitioners in connection with Pupri P.S. Case No. 147/2024, pending before the learned SDJM, Pupri at Sitamarhi is hereby rejected.



8. However, it is directed to the petitioners to surrender before the trial Court within a period of four weeks from today. In case, the petitioners, surrender within four weeks from today, then the Trial Court is directed to pass an order on their surrender-cum-bail application on its own merit, on the same day without being prejudiced that the anticipatory bail of the petitioners has been rejected.

(Dr. Anshuman, J)

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