

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62618 of 2024

Arising Out of PS. Case No.-191 Year-2023 Thana- BALIYA District- Begusarai

1. Md. Umar Aadil @ Md. Aadil S/o Md. Israfil R/o Village- Kasba (Salehchak), P.O- Hussaina, ward No. 10, P.S- Ballia (Baliya), District Begusarai
2. Md. Istiyak Alam @ Md. Istiyak S/o Md. Jiyaul R/o Village- Kasba (Salehchak), P.O- Hussaina, ward No. 10, P.S- Ballia (Baliya), District Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam, Advocate
For the Opposite Party/s : Mr.Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 13-09-2024 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor (or brevity ‘APP’) for the State.

2. The petitioners apprehend their arrest in connection
with Ballia (Baliya) P.S. Case No. 191 of 2023 dated
18-07-2023, instituted for the offence punishable under Sections
147,341, 323,324, 307, 506 and 379 of the Indian Penal Code.

3. The prosecution case, in short, is that petitioners
along with other accused persons snatched gold chain worth Rs.
60,000/- and one plus mobile worth of Rs. 30,000 from the
informant. Upon, protest all the FIR named persons assaulted on
the head of the informant by means of iron rod.

4. Learned counsel for the petitioners submits that the



petitioners are innocent and they have been falsely implicated in this case. It is submitted that the allegation against the petitioners is that they assaulted the informant with iron rod on his head, but the injury report of the informant reveals one head injury, which is simple in nature. It is submitted that the incident took place on 13-07-2023 whereas, the present FIR was registered on 18-07-2023 without any plausible explanation. Also other co-accused, namely, Md. Zahid @ Md. Jahid and Md. Kaif @ Md. Kaef have already been granted the anticipatory bail by this Court *vide* order dated 20-05-2024 passed in Cr Misc. No. 28370 of 2024 (Annexure-2). Lastly, it is submitted that petitioners have no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for anticipatory bail of the petitioners.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioners within a period of six weeks from today, in connection with Ballia (Baliya) P.S. Case No. 191 of 2023, they shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, Begusarai, subject to condition as laid down



under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Khatim Reza, J)

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