

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68901 of 2023

Arising Out of PS. Case No.-293 Year-2023 Thana- RAJAOLI District- Nawada

1. MD. BELAL Son of Md. Abdul Kauem R/o vill - Takiya Muhalla, P.S. - Rajauli, Distt. - Nawada
2. Md. Iqbal @ Vicky Son of Md. Abdul Kauem R/o vill - Takiya Muhalla, P.S. - Rajauli, Distt. - Nawada
3. Md. Kasif Nasim @ Rajan @ Kasif nasim Son of Md. Nasim Ahmad R/o vill - Mustafa Kheti, Zakir Nagar East Road no. 7, P.S. - Azadnagar, Distt. - Jamshedpur, Jharkhand
4. Md. Asif Nasim @ Md. Shahid @ Asif Nasim Son of Md. Nasim Ahmad R/o vill - Mustafa Kheti, Zakir Nagar East Road no. 7, P.S. - Azadnagar, Distt. - Jamshedpur, Jharkhand
5. Md. Haidar Son of Md. Akbar R/o vill - 156 Hussain Muhalla Zakir Nagar, P.S. - Azadnagar, Distt. - Jamshedpur, Jharkhand

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saroj Kumar Choudhary
For the Opposite Party/s : Mr. Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 08-01-2024 Heard the parties.

2. Learned counsel for the petitioner seeks permission to withdraw this application as against the petitioner no.4.

3. Permission is granted.

4. Accordingly, this application as against the petitioner no.4 is dismissed as withdrawn.

5. Now, this application is being heard with regard to the petitioner nos.1, 2, 3 and 5 only.

6. The petitioners apprehend their arrest in a case



registered for the offence punishable under Sections 341, 323, 307, 447, 379, 504, 506/34 of the Indian Penal Code.

7. Allegedly, the petitioners along with other co-accused persons entered into the house of the informant and brutally assaulted his brothers due to which they sustained injuries. The accused persons also looted jewellery and cash from his house.

8. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is no specific overt act against the petitioners. He further submits that one of the injuries is of simple nature and the rest are of simple nature. Petitioners have no criminal antecedent.

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

6. Having regard to the facts and circumstances of the case, let the above named petitioner nos.1, 2, 3 and 5, 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 court below where the case is pending/Successor Court in connection with Rajauli P.S. Case No.293 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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