

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77957 of 2024

Arising Out of PS. Case No.-71 Year-2024 Thana- JAMOBABAZAR District- Siwan

Nurjaid Alam @ Nurjed Mian Son of Md. Basir Alam @ Basir Mian Resident
of Village- Mushahari, PS- Jamo Bazar, Distt.- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh
For the Opposite Party/s : Mr. Ram Anurag Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 26-11-2024 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Jamo Bazar Police Station Case No. 71 of 2024, dated 07.03.2024, disclosing offences under Sections 341/342/323/324/307/379/325/504/34 of the Indian Penal Code.
3. The prosecution case, as per the First Information Report, is that on 06.03.2024, in the wedding ceremony of daughter of one Nand Prasad, the accused persons, including the petitioner, were playing vulgar songs on orchestra in the mid-night and when the informant objected, he was assaulted by the petitioner and other accused persons by means of lathi, dab, iron-rod, etc.



4. Learned counsel for the petitioner submits that the petitioner, along with other accused persons, have been made accused in the present case due to some dispute during wedding ceremony of co-villager. The allegation against the petitioner is general and omnibus in nature. Referring to the injury report, learned counsel submits that injury appears to be simple in nature, however, nature of injury has not been opined by the doctor, for which a letter, dated 18.07.2024, annexed at Annexure-4, was sent by the office of I/c Medical Officer, PHC, Goreyakathi, Siwan, to learned District and Sessions Judge, Siwan, mentioning that the opinion could not be given due to the fact that the informant did not submit his X-Ray and CT Scan report before the Primary Health Centre, Goreyakanthi, Siwan.
5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that allegation against the petitioner is general and omnibus in nature and injury caused to the informant does not appear to be serious, I am inclined to grant the petitioner privilege of anticipatory bail.
6. This application is, accordingly, allowed.



7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Siwan, in connection with Jamo Bazar Police Station Case No. 71 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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