

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74255 of 2024

Arising Out of PS. Case No.-243 Year-2023 Thana- MADHUBAN District- East Champaran

1. Md. Shamim @ Shamim Alam @ Md. Shamim Son of Late Munif Mian Resident of Village - Madhuban, P.S. - Madhuban, District - East Champaran
2. Md. Ashraf @ Md. Ashraf Alam Son of Late Md. Hasmudin @ Hasanudin Miyan Resident of Village - Madhuban, P.S. - Madhuban, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Sandesh Roy, Adv.
For the Opposite Party/s : Ms. Rita Verma, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 28-10-2024 Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 325, 354(B), 307, 379, 504, 506 and 34 of the Indian Penal Code.

3. Allegedly, all the FIR named accused persons including the petitioners are said to have abused and assaulted the informant's side brutally by means of deadly weapons due to which they sustained injuries. They also tried to outrage the modesty of the informant and other females, who came in rescue of the informant.



4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. No such occurrence as alleged has ever taken place. They have been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioners is totally false and based on concocted facts. There is case and counter case between the parties. Both sides have sustained injuries and the injuries sustained by the informant's side were found simple in nature, which is also evident from the impugned order itself. Learned counsel further submits that petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes the prayer for bail.

6. Considering the facts and circumstances of the case as well as the nature of the injuries sustained by the informant's side i.e. simple, let the above named petitioners, 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 lower Court where the case is pending/successor Court in connection with Madhuban P.S.



Case No. 243 of 2023, subject to the condition as laid down
under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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