

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85243 of 2024

Arising Out of PS. Case No.-43 Year-2024 Thana- RISIYAP District- Aurangabad

1. Md. Tabij @ Tabij Hassan Son of Md. Nasim Ansari Resident of Village-Risiup Sundarganj, P.S.- Risiup, Distt.- Aurangabad (Bihar)
2. Md. Shamim @ Shamim Akhtar Son of Md. Nasim Ansari Resident of Village-Risiup Sundarganj, P.S.- Risiup, Distt.- Aurangabad (Bihar)
3. Md. Ashraf @ Ashraf Hussain Son of Late Md. Ishhaque Ansari Resident of Village-Risiup Sundarganj, P.S.- Risiup, Distt.- Aurangabad (Bihar)
4. Md. Iftakhar @ Md. Iftakhar Alam Son of Late Md. Idrish Resident of Village-Risiup Sundarganj, P.S.- Risiup, Distt.- Aurangabad (Bihar)
5. Md. Rustam Ali @ Md. Rustam Ansari Son of Late Badud Ansari Resident of Village-Risiup Sundarganj, P.S.- Risiup, Distt.- Aurangabad (Bihar)
6. Md. Abshar @ Md. Absher Alam Son of Md. Afzal Hussain Resident of Village-Risiup Sundarganj, P.S.- Risiup, Distt.- Aurangabad (Bihar)
7. Md. Asif @ Asif Ansari Son of Abdul Kayum Resident of Village-Risiup Sundarganj, P.S.- Risiup, Distt.- Aurangabad (Bihar)
8. Md. Meraj @ Meraj Alam Son of Afzal Hussain Resident of Village-Risiup Sundarganj, P.S.- Risiup, Distt.- Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh
For the Opposite Party/s : Mrs. Nirmala Kumari

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-12-2024 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 147, 148,
149, 341, 323, 448, 308, 379, 504 of the Indian Penal Code.

3. As per the prosecution case, the petitioners along



with other co-accused persons are said to have assaulted the informant's side.

4. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He submits that there is case and counter case between the parties and both sides have sustained injury. He further submits that the injury was found simple in nature (Annexure-3 Series of this application). Petitioners no. 1, 2, 3, 4, 5, 7, 8 have no criminal antecedent and petitioner no. 6 has one criminal antecedent as mentioned in para-3 of this application.

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

6. Having regard to the facts and circumstances of the case and the nature of the injury, 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



Risiup P.S. Case No.43 of 2024, subject to the condition as laid
down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

anand/-

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