

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2154 of 2024

Arising Out of PS. Case No.-445 Year-2023 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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1. MD. EQBAL SON OF MD. MANZOOR @ MD. MANJUR @ NAGA R/O VILLAGE- SINGHAUL, P.S.- MUFFASIL (SINGHAUL O.P.), DIST.- BEGUSARAI
 2. MD. SAMSER @ SAMSER SON OF MD. MANSOOR @ MD. MANSUR R/O VILLAGE- SINGHAUL, P.S.- MUFFASIL (SINGHAUL O.P.), DIST.- BEGUSARAI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate

For the Opposite Party/s : Mr. Rajiv Nayan, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 31-01-2024 Heard Mr. Manoj Kumar, learned counsel for the
petitioners and Mr. Rajiv Nayan, learned APP for the State.

2. The petitioners are apprehending their arrest connection with Begusarai Muffasil (Singhaul) P.S. Case No. 445 of 2023, F.I.R. dated 26.07.2023 registered for the offences punishable under Sections 143, 341, 323, 307, 379, 427, 504, 506 of the Indian Penal Code.

3. The petitioners are alleged to have assaulted the informant with sword and also when the mother of the informant came to rescue, she was also assaulted with iron rod as well as a sum of Rs. 25,000/- was looted from his shop.

4. Learned counsel for the petitioners submits that the



petitioners have clean antecedents and they have been falsely implicated in the present case. He further submits that it appears from the F.I.R. that the allegation against these petitioners that they have assaulted the informant and his mother and although they have received injuries but the injury report of the informant and the mother of the informant suggests that injuries are simple in nature. He further submits that co-accused persons namely Md. Nadim, Md. Nasim, Md. Jasim, Md. Saddam and Md. Kurban have been granted the privilege of anticipatory bail by a Coordinate Bench of this Court vide order dated 19.10.2023 passed in Cr. Misc. No. 66495 of 2023.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioners.

6. Considering the facts and circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai in connection with Begusarai Muffasil (Singhaul) P.S. Case No. 445 of 2023, subject to the conditions as laid down under Section 438(2) of



the Code of Criminal Procedure and with other following conditions :-

(1) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

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(Rajesh Kumar Verma, J)

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