

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84813 of 2024

Arising Out of PS. Case No.-493 Year-2024 Thana- MAHUA District- Vaishali

- 1. Md. Lal Mohammad son of Miya Jan Miya Village -Kanhauli, P S-. Mahua, District -Vaishali
- 2. Md. Salim Son of Md. Lal Mohammad Village -Kanhauli, P S-. Mahua, District -Vaishali
- 3. Md. Safiq son of Md. Lal Mohammad Village -Kanhauli, P S-. Mahua, District -Vaishali
- 4. Md. Samim @ Md. Shami son of Md. Lal Mohammad @ Mohammad Lal Village -Kanhauli, P S-. Mahua, District -Vaishali
- 5. Md. Naim Son of Md. Lal Mohammad @ Lal Mohammad Village -Kanhauli, P S-. Mahua, District -Vaishali
- 6. Md. Sarfaraz @ Md. Arbaj son of Md. Jahagir Village -Kanhauli, P S-. Mahua, District -Vaishali
- 7. Md. Jahagir son of Kasim Miya Village -Kanhauli, P S-. Mahua, District -Vaishali
- 8. Md. Rayees @ Md. Rahis son of Md. Jahagir @ Md. Jagir Village -Kanhauli, P S-. Mahua, District -Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vasant Vikas, Advocate
For the Opposite Party/s : Mr. Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-12-2024 Heard learned counsels for the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 341, 323, 324, 307, 504, 506/34 of the Indian Penal Code.

3. As per the FIR, petitioners and other co-accused persons brutally assaulted the informant. When the husband of the



informant and others tried to save her, they were also assaulted by the accused persons.

4. 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. It is fairly submitted that the specific allegation is against the petitioner no.2 and 8. Petitioners have no criminal antecedent.

5. Learned APP for the State opposed the prayer for anticipatory bail and submits that there is specific allegation against the petitioner nos.2 and 8 to assault by means of knife.

6. Having regard to the facts and circumstances of the case, I am not inclined to enlarge the petitioner nos.2 and 8 on bail. The prayer for grant of anticipatory bail on their behalf is hereby rejected.

7. However, as there is general and omnibus allegation against the petitioner nos.1, 3, 4, 5, 6 and 7, let the above named petitioner nos.1, 3, 4, 5, 6 and 7, 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 Mahua P.S. Case No.493 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

8. Accordingly, this application is partly allowed.

(Anjani Kumar Sharan, J)

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