

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2469 of 2024

Arising Out of PS. Case No.-194 Year-2023 Thana- GOPALPUR District- Gopalganj

1. Aslam Ali son of Ees Mohammad Ro village- Jagarnathpur, PS- Gopalpur, Dist- Gopalganj, Bihar
2. Tahir Hussain @ Zahir Hussain son of Zakir Hussain Ro village- Jagarnathpur, PS- Gopalpur, Dist- Gopalganj, Bihar
3. Shahabuddin Ali son of Ees Mohammad Ro village- Jagarnathpur, PS- Gopalpur, Dist- Gopalganj, Bihar
4. Zakir Hussain son of Nizam Miya Ro village- Jagarnathpur, PS- Gopalpur, Dist- Gopalganj, Bihar
5. Arma Ali @ Arman Hussain son of Mustafa Miya Ro village- Jagarnathpur, PS- Gopalpur, Dist- Gopalganj, Bihar
6. Irfan Miya @ Irfan Alam son of Haider Miya @ Haider Alee Ro village- Jagarnathpur, PS- Gopalpur, Dist- Gopalganj, Bihar

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sumit Shekhar Pandey

For the Opposite Party/s : Mr. Arvind Kumar Pandey (App.84)

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 08-02-2024 Heard the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 341, 323, 324, 325, 307, 379, 504, 506, 34 of the Indian Penal Code.

3. Allegedly, two co-accused persons entered the house of the informant and tried to molest her and also tried to kill her. It is alleged that the petitioners and other co-accused persons arrived there and assaulted the informant by means of several



weapons.

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. He submits that the learned Court below rejected the anticipatory bail application of the petitioners on the ground that the injury report has supported the prosecution case. He further submits that there is a delay of three days in lodging of the FIR as the incident took place on 07.08.2023 and the FIR was lodged on 10.08.2023. Petitioners have no criminal antecedent, as also mentioned in para-3 of the bail application.

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

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



court below where the case is pending/Successor Court in connection with Gopalpur P.S. Case No.194 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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