

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21420 of 2025

Arising Out of PS. Case No.-223 Year-2023 Thana- SAHARSA SADAR District- Saharsa

- 1 . Md. Asruddin S/o- Late Shikh Salamat @ Salamat Resident of village- D.B Road Machhali Market PS-Saharsa Sadar District-Saharsa
2. Md. Shamsheir S/o- Md. Asruddin Resident of village- D.B Road Machhali Market PS-Saharsa Sadar District-Saharsa
- 3 . Md. Anser S/o- Md. Asruddin Resident of village- D.B Road Machhali Market PS-Saharsa Sadar District-Saharsa
4. Md. Rahman S/o- Md. Mohfil Alam @ Md. Mohfil Ram Village- Tatarahi Ps- Pipra Dist- Supaul P/R- Resident of village- D.B Road Machhali Market PS-Saharsa Sadar District-Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amarjeet Prabhakar , Advocate
For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 30-04-2025 Heard learned counsel for the petitioners and the State .

2. Petitioners apprehend their arrest in a case registered for the offence punishable under sections 341 , 323 , 325 , 308 , 384, 379, 204 and 34 of the Indian Penal Code .

3 . As per the prosecution case , informant namely Md. Massail alleged that on 05.04.2023 at around 11 AM, all the F.I.R., named accused persons including these petitioners came at his shop and demanded Rs. 50,000/- as extortion and also threatened him with dire consequences. It is further alleged that



on the same day around 9:30 PM, while informant was returning from mosque with his son , in the meantime , all the accused persons assaulted him with sticks and iron rods, and also looted Rs. 30,000/- from his pocket and attempted to strangle him and injured his son with balde .

4. It is submitted on behalf of the petitioners that petitioners are rickshaw pullers and due to dispute over parking of rickshaw led to maarpeet between the parties. Allegation of assault is general and omnibus against these petitioners. Rest of the allegation is ornamental in nature in order to make case grave . Petitioner claims clean antecedent.

5 . Learned counsel for the State opposed the bail petition and submitted that injury allegedly caused by petitioner No. 2 is grievous in nature .

6. Considering the nature of injury caused by petitioner No. 2, his prayer for anticipatory bail is rejected.

7. Considering the fact that allegation of assault is general and omnibus against petitioner Nos. 1 , 3 and 4 , clean antecedents and circumstances of the case , in the event of arrest or surrender within eight weeks from today, let the petitioner Nos1 , 3 and 4 as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) each with two



sureties of the like amount each to the satisfaction of the learned
CJM Saharsa in connection with Saharsa Sadar P.S. Case No.
223 of 2023 , subject to the conditions laid down under section
438(2) of the Code of Criminal Procedure .

(Prabhat Kumar Singh, J)

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