

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21863 of 2025

Arising Out of PS. Case No.-588 Year-2018 Thana- AHIYAPUR District- Muzaffarpur

1. Md. Faud @ Chand @ Faud Ahmad Bakhs @ Fraud (male), aged about 39 years, Son of- Md. Salim Ansari
2. Md. Khalid @ Chunna @ Chuna @ Khalid Raza (male), aged about 32 years, Son of- Md Salim Ansari
3. Jimmy @ Md. Serajuddin (male), aged about 25 years, Son of- Md. Salim Ansari
4. Md. Salim Ansari (male), aged about 64 years, Son of- Late Sultan Ali @ Late Sultan Ansari
5. Md. Moinuddin (male), aged about 45 years, Son of- Late Karmuddin Ansari @ Kamruddin Ansari
All resident of Village- Bairiya, P.S- Ahiyapur, District- Muzaffarpur.
6. Md. Hayatul @ Hayatul Ansari (male), aged about 51 years, Son of- Late Samsuddin Ansari @ Md. Samsuddin Ansari
7. Md. Samiullah Ansari (male), Son of- Late Sultan Ali @ Late Sultan Ansari
Both Resident of Village- Sadatpur, P.S- Kanti, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mrs. Nirmala Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 23-04-2025 Heard Mr. Anuj Kumar, learned counsel appearing on behalf of the petitioners and Mrs. Nirmala Kumari, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Ahiyapur P.S. Case No. 588 of 2018 registered for the offence punishable under Sections 323, 341, 308, 379 and 34 of the Indian Penal Code.

3. As per the allegation made in the FIR, all the



petitioners, who are seven in numbers, had assaulted the informant and his family members and specific allegation against the petitioner no. 1 is that he had looted Rs. 15,000/- cash from the pocket of the informant.

4. Learned counsel appearing on behalf of the petitioners submitted that petitioners are innocent and have falsely been implicated in the present case. There is case and counter case between the parties. Petitioners and informant are next door neighbour. Learned counsel further submitted that the allegation against the petitioners is general and omnibus. In course of fierce fight, the petitioners may have caused injuries to the person of the informant in their self defence, without intention. Petitioners have clean antecedent. On these grounds, petitioners seek to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the rival submissions made on behalf of the parties, as well as, the fact that there is case and counter case between the parties. Petitioners and informant are next door neighbour. Learned counsel further submitted that the allegation against the petitioners is general and omnibus. In course of fierce fight, the petitioners may have caused injuries to the



person of the informant in their self defence, without intention. Petitioners have clean antecedent. I am of the opinion that petitioners have, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioners, above named, are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the learned District Court within a period of four 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 learned C.J.M., Muzaffarpur, in connection with Ahiyapur P.S. Case No. 588 of 2018, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

8. The learned District Court is directed to verify the criminal antecedent of the petitioners as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioners as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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