

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65225 of 2024

Arising Out of PS. Case No.-152 Year-2024 Thana- KEWATI District- Darbhanga

Shamsher Hasan @ Raju @ Md. ShamSheer Son of Najir Hasan @ Md. Nazir
Hasan Resident of Village and P.O- Barhi, Ward no. 16, P.S.- Keoti, VTC
Barahi, District- Darbhanga-846005

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 69210 of 2024

Arising Out of PS. Case No.-152 Year-2024 Thana- KEWATI District- Darbhanga

Md. Shahid @ Sayeed Ahmad S/O Farooque @ Md. Farooque Azam @ Md.
Farukh Aajam @ Nanhe Resident of Village- Barhi, P.S. - Keoti, Dist-
Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 72188 of 2024

Arising Out of PS. Case No.-152 Year-2024 Thana- KEWATI District- Darbhanga

1. Naushad @ Md. Naushad Sheikh @ Mohd Naushad Shaikh S/O Md. Faiyaz
@ Mahammad Faiyaz R/O Village- Barahi, Barhi, P.S-Keoi, Dist.-
Darbhanga.
2. Aftab @ Md. Aftab @ Md. Aftab S/O Nabi Hassan @ Md. Nabi Hassan @
Md. Navi Hasan R/O Village- Barahi, Barhi, P.S-Keoi, Distt.- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 65225 of 2024)
For the Petitioner : Ms. Shama Sinha, Advocate
For the State : Mr. Umeshanand Pandit, APP
For the Informant : Mr. Vinay Kr. Mishra, Advocate
(In CRIMINAL MISCELLANEOUS No. 69210 of 2024)



For the Petitioner : Mr. Saurav Anand, Advocate
For the State : Mr. Nawal Kishore Prasad, APP
For the Informant : Mr. Vinay Kr. Mishra, Advocate
(In CRIMINAL MISCELLANEOUS No. 72188 of 2024)
For the Petitioners : Ms. Shama Sinha, Advocate
For the State : Mr. Pawan Kumar Chaurasia, APP
For the Informant : Mr. Vinay Kr. Mishra, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

6 16-01-2025 Heard learned counsels for the parties.

2. As these bail applications are arising out of the same P.S. case number hence, they are being taken up together and being disposed of by this common order.

3. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 341, 323, 342, 324, 307, 504, 506, 379, 427 and 34 of the Indian Penal Code.

4. The prosecution case, in brief, is that on 21.05.2024, while the informant, along with his staff namely Raman Kumar, was coming to his house after taking diesel on his four wheeler, all the F.I.R. named accused persons, including these petitioners and two to three unknown persons, duly armed, surrounded them and assaulted informant. It is alleged that accused Shamsheer Hasan gave farsa blow on head of informant, accused Md. Shahid @ Sayeed Ahmad gave knife blow on head of informant and accused Naushad @ Md. Naushad Sheikh and Aftab @ Md. Aftab assaulted on head of informant by means of



rod as a result of which informant sustained several injuries in the head. It is further alleged that co-accused persons also assaulted informant by means of *lathi* due to which he sustained injuries on his shoulder and back. It is further alleged that they also damaged the vehicle and took away a bag containing cash worth Rs. 8,000/- and other important documents. Allegedly, the reason behind the occurrence is that accused Md. Shamsheer took money from the informant and when he demanded the same, Md. Shamsheer threatened him with dire consequences.

5. It is submitted by learned counsels appearing on behalf of the respective petitioners that petitioners are innocent and have committed no offence. As a matter of fact, petitioners and informant are involved in similar business and have rivalry. The informant met with a minor road accident in which he got injured and taking advantage of the situation, this false and fabricated case has been lodged. Even as per F.I.R., allegation of assault is general and omnibus against all the eight accused persons. It is further submitted that as per F.I.R., all the accused persons brutally assaulted the informant but doctor has found only four injuries on the body of the informant. Petitioners claim clean antecedents.

6. On the other hand, learned A.P.P. for the State and



learned counsel appearing on behalf of the informant have vehemently opposed the prayer for grant of anticipatory bail to the petitioners.

7. Considering the aforesaid facts and circumstances, general and omnibus nature of accusation and clean antecedents of the petitioners, the prayer for grant of anticipatory bail to the petitioners is allowed.

8. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioners 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 learned J.M., Darbhanga, in connection with Keoti P.S. Case No. 152 of 2024, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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