

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13212 of 2015

Arising Out of PS.Case No. -9 Year- 2015 Thana -KATIHAR MUFFASIL District- KATIHAR

1. Md. Amzad Ali son of Late Makbul Hussain
2. Md. Jamil Akhtar son of Amzad Ali, Both residents of village- Chilmara
P.S.- Muffasil, Katihar, District- Katihar

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar

For the Opposite Party/s : Mr. P.K.Chaurasiya(App)

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 29-06-2015 Heard learned counsel for the petitioners as well

as learned Additional Public Prosecutor for the State and also

learned counsel for the informant.

The petitioners apprehend their arrest in

connection with Katihar Mufassil P.S. Case No. 09 of 2015

registered under sections 147, 323, 341, 307, 380 and 504 of the

Indian Penal Code.

There is specific allegation against the petitioners

that they assaulted the informant with rod and Pharsa as a result

thereof the informant sustained injuries. In the present case, some

other persons also sustained injuries. No doubt there is case and

counter case between the parties and persons of both sides have

got injuries, but taking note of the fact that one grievous injury has been found on the head of the informant, I am not inclined to grant privilege of anticipatory bail to the petitioners and, accordingly, their prayer for anticipatory bail in connection with Katihar Mufassil P.S. Case No. 9 of 2015 pending in the court of the Chief Judicial Magistrate, Katihar stands rejected.

However, if the petitioners surrender before the concerned court below within four weeks from today and seek regular bail, the concerned court shall consider the regular bail application of the petitioners on its own merit without being prejudiced by this rejection order; particularly keeping in mind that there is case and counter case between the parties and persons from both sides are injured.

(Hemant Kumar Srivastava, J)

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