

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41087 of 2015

Arising Out of PS.Case No. -245 Year- 2012 Thana -NARPATGANJ District- ARRARIA

- =====
1. Md. Soyeb @ Md. Shoib Alam, Son of Md. Isrile
 2. Md. Ishtakhar, Son of Md. Jagul Both resident of Mohalla- Sheikh Tola, Dumariya, P.S.- Narpatganj, District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Md. Rashid Alam

For the Opposite Party/s : Mr. Arun Kumar (App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 08-10-2015 Petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 307, 379 of the Indian Penal Code.

The prosecution case is that the accused persons including the petitioners entered into the Madarsa, assaulted the informant, when the nephew of the informant and others came to rescue, they were also assaulted. The accused persons committed theft of cash, mobile and ornaments.

It is submitted by learned counsel for the petitioners that injury has been found to be simple in nature. The accusation has been levelled for a dispute with regard to the management of the Madarsa. The petitioners were not sent up for trial but differing with the final form, cognizance has been taken. There is counter version of the occurrence also.

It is submitted by learned counsel for the informant that there is specific accusation of assault against the petitioners and co-accused persons who were charge-sheeted, their prayer for anticipatory bail has been rejected.

Keeping in view of the fact that accusation has been levelled in the background of dispute with regard to management of Madarsa, there is counter version of the occurrence and petitioners were not sent up for trial, it is a case for consideration of prayer for regular bail, if the petitioners surrender within a period of six weeks in connection with Narpatganj P.S. Case No. 245 of 2012, pending in the Court of learned Judicial Magistrate, 1st Class, Araria.

With the observations above, the application stands disposed off.

(Dinesh Kumar Singh, J)

Shageer/-

U		T	
---	--	---	--