

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17082 of 2015

Arising Out of PS.Case No. -204 Year- 2014 Thana -KADWA District- KATIHAR

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1. Md. Shamim @ Md. Shamim Akhtar S/o Late Jabbar
2. Rajjak @ SK. Rajjak @ Abdur Razzaque S/o Sheikh Reyazuddin
Both Resident of village - Bharri, P.S. Kadwa, District - Katihar

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Ataur Rahman
For the Opposite Party/s : Mr. A.Dayal(App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 13-10-2015 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State as well as learned counsel appearing on behalf of the informant.

The petitioners apprehend their arrest in connection with a case registered for the offences punishable under Section 307 and other sections of the Indian Penal Code.

Learned counsel for the petitioners submits that some dispute arose on account of offering prayer at the Mosque as a result of which, there was free fight between the parties. He further submits that whatever injuries are said to have been inflicted at the hands of these petitioners, have been found to be simple in nature.

As per the injury report annexed to the supplementary affidavit filed today, learned counsel for the informant submits

that though the injuries have been found to be simple in nature yet they have been noted on the vital part of the injured persons.

However, considering the fact that the petitioners have no criminal antecedent, let the petitioners, in the event of their arrest / surrender within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the each amount to the satisfaction of the learned Chief Judicial Magistrate, Katihar in connection with Kadwa P.S. Case No. 204 of 2014 subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

It is however, made clear that since learned counsel for the informants submits that there is some criminal antecedent which is squarely denied by learned counsel for the petitioners, let the same be verified before the aforementioned order is put into effect.

(Anjana Mishra, J.)

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