

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.41701 of 2015

Arising Out of PS.Case No. -151 Year- 2015 Thana -LAURIYA District-
WESTCHAMPARAN(BETTIAH)

- =====
1. Kalam Akhtar son of Sheikh Mahmood,
 2. Javed Akhtar @ Jeena son of Kalam Akhtar,
 3. Tabrej Akhtar son of Kalam Akhtar,
 4. Sahnawaz Akhtar @ Raja son of Kalam Akhtar,
- All resident of Village- Telpur Devraj, P.S.- Lauriya, District- West
Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Sucheta Yadav(App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

02/ 08-10-2015

Heard learned counsels for the petitioners,

State and the informant.

The petitioners are apprehending their
arrest in a case registered for the offences punishable under
Sections 341, 342, 323, 324, 307, 504 and 506/34 of the Indian
Penal Code and 27 of the Arms Act.

The prosecution case is that the informant
and his friend were taking tea at tea stall when petitioner no. 2
Javed Akhtar started abusing, thereafter petitioner no. 3 Tabrej
Akhtar inflicted injury with the Farsa on the head of Sikandar
and on the order of petitioner no. 3 Tabrej Akhtar, petitioner no.
2 Javed Akhtar resorted to fire causing injury on the right hand

of the informant.

It is submitted by learned counsel for the petitioners that the informant side were aggressors and they caused firearm grievous injury to petitioner no. 4 Sahnawaz Akhtar and the case lodged by the petitioners' side is at earlier point of time. A statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent. Moreover, the injuries have been found to be simple in nature.

It is submitted by learned counsel for the informant that the injuries have been caused on the vital part of the body and there is specific accusation against petitioner nos. 2 and 3.

Considering the fact that petitioner no. 2 Javed Akhtar caused injury to the informant with country made pistol, let the learned court below consider the prayer for regular bail of petitioner no. 2, if he surrenders before the learned court below within a period of six weeks from today. Accordingly, his application is disposed of.

So far as petitioner nos. 1, 3 and 4 are concerned, let the above named petitioner nos. 1, 3 and 4 be released on anticipatory bail in the event of their arrest or surrender before the learned court below within a period of

twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, West Champaran at Bettiah in connection with Lauriya P.S. Case No. 151 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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