

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.2005 of 2016

Arising Out of PS.Case No. -288 Year- 2015 Thana -SIMRI BAKHTIARPUR District- SAHARSA

1. Md. Akbar @ Md. Akbar Ansari @ Akbar Ansari, son of Idrish Ansari
2. Md. Anzar Ansari @ Chunchun @ Anzar Ansari @ Chunchun son of Idrish Ansari

Both resident of Village- Sitanabad, P.S.- Bakhtiyarpur, District- Saharsa.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Advocate

For the Opposite Party/s : Mr. Bharat Lal, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

3 11-04-2016

Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners seek pre-arrest bail in connection with Bakhtiyarpur P.S. Case No. 288 of 2015 registered under Sections 341, 323, 324, 307, 452, 427, 380, 504 and 506 read with 34 of the Indian Penal Code.

It is contended that no case under Section 307 of the Indian Penal Code is made out in the facts and circumstances of the case. It is further contended that the informant of the case had sustained only a simple and superficial injury and the

narration given in the FIR itself would make it evident that an exaggerated story of a minor occurrence which took place between the parties has been given a colour of a serious offence under Section 307 of the Indian Penal Code.

Learned counsel for the State has opposed the application for grant of pre-arrest bail.

Be that as it may, regard being had to the nature of injury caused on forearm of the informant, in the event of arrest or surrender in the court below within six weeks from today, the petitioners are directed to be released on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saharsa in connection with Bakhtiyarpur P.S. Case No. 288 of 2015 subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Ashwani Kumar Singh, J.)

Sanjeet/-

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