

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14736 of 2016

Arising Out of PS.Case No. -740 Year- 2015 Thana -FORBESGANJ District- ARRARIA

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1. TAUHID @ MD. TAUHID Son of Late SK. Bijlu
2. Jaid @ Md. Jaid Son of Md. Tauhid Both residents of village - Gurmi,
P.S. Simraha, District - Araria

.... Petitioner/s

Versus

1. The State of Bihar
Party/s

.... Opposite

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sharma

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

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 29-04-2016 Heard learned Counsel for the petitioners and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail,
arises out of Forbesganj (Simraha) Police Station Case No.
740 of 2015, disclosing offence under Sections 447, 341,
323, 307/34 of the Indian Penal Code.

Learned Counsel appearing on behalf of the
petitioners has submitted that no offence under Section 307
of the Indian Penal Code is made out on the basis of the
allegation made in the First Information Report inasmuch as
no case of intention to kill is disclosed. The allegation is of
assault by danda and farsa. Learned Counsel for the
petitioners has also submitted that the injuries are simple
in nature. There is counter version of the same occurrence

on the basis of which the First Information Report has been lodged by petitioner no. 2, vide Forbesganj (Simraha) Police Station Case No. 745 of 2015.

Considering the nature of dispute and the allegation against the petitioners, this application is allowed.

Let the petitioners, namely, Tauhid @ Md. Tauhid and Jaid @ Md. Jaid, in the event of his arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria, in connection with Forbesganj (Simraha) Police Station Case No. 740 of 2015, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

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