

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41186 of 2016

Arising Out of PS.Case No. -283 Year- 2014 Thana -BISFI District- MADHUBANI

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1. Md. Rizwan
2. Md. Allan @ Md. Aelan @ Aalah

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav

For the Opposite Party/s : Mr. Md. Fahimuddin

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 06-10-2016 Heard both sides.

The petitioners apprehend their arrest in Bisfi P.S. case No. 283 of 2014 under Section 307 and other Sections of the Indian Penal Code and under Section 27 of the Arms Act.

The informant named the petitioners, along with other accused persons, and alleged that on the order of Md. Hannan, Md. Rizwan and Md. Allan, the petitioners, fired at him which hit on the thigh of Md. Sabbir, brother-in-law of the informant.

The learned counsel for the petitioners submits that the occurrence took place during the time of Moharram. The injuries are simple in nature. The case has been compromised but it appears that injuries are caused by fire arm and the petitioners are alleged to have fired causing injuries to Md. Sabbir on thigh.

Considering the facts aforesaid, I am not inclined to enlarge the petitioners on anticipatory bail. Accordingly, the same is rejected.

If the petitioners surrender in the court below, i.e., learned Chief Judicial Magistrate, Madhubani in Bisfi P.S. case No. 283 of 2014, the learned court below shall consider the prayer for regular bail of the petitioners taking into consideration that the case has been compromised.

(Prabhat Kumar Jha, J)

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