

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9644 of 2016

Arising Out of PS.Case No. -1 Year- 2016 Thana -BARGANIA District- SITAMARHI

- =====
1. Safrulla Mian @ Md. Safrulla Mian @ Saffiullah Mian, Son of Late Karmulla Mian, Resident of Village-Baheri Rasulpur Dayal, P.S. Bairgania District- Sitamarhi.
 2. Munna Khan son of late Hanif Khan Resident of Village- Patahi P.s Bhairgania District Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh, Advocate.
For the Opposite Party/s : Mr. Ajay Kr. 1(App)

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

2 13-04-2016 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Bairgania P.S. Case No. 01 of 2016 registered under Sections 341, 448, 323, 324, 307, 380 and 385/34 of the Indian Penal Code pending in the court of Chief Judicial Magistrate, Sitamarhi.

The accusation is that five persons including the petitioners reached at the wine shop of the informant and petitioner no.1 made demand of liquor as ransom. When the informant made protest then he was assaulted by the petitioners through knife causing injury at his head. At that time, co-accused,

Munna Khan gave iron blow at his head, due to which, he fell down and became unconscious. In the meantime, all accused persons looted the wine and also took cash of Rs.20,000/- from the shop of the informant.

Learned counsel for the petitioners submits that petitioners and the informant are shop owners and their shops are situated adjacent to each other. As such, due to business rivalry the petitioners have falsely been implicated in this case. It is further submitted that the injury as found on the person of the informant is simple in nature.

Having considered the facts and circumstances of the case, I am not inclined to grant anticipatory bail to the petitioners. Accordingly, the prayer of the petitioners for grant of anticipatory bail stands rejected. The petitioners are directed to surrender before the trial court within four weeks and pray for regular bail, which would be considered by the trial court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

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