

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14941 of 2017

Arising Out of PS.Case No. -292 Year- 2016 Thana -AJAMNAGAR District- KATIHAR

- =====
1. Md. Akhtar son of Sk. Baharuddin
 2. Md. Mustaque son of Sk. Baharuddin Both are residents of village - Jangipur, P.S. Azamnagar, District - Katihar.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Md. Musowir
Mr. P.K.Sinha, Advocate
For the Opposite Party/s : Mr. Sri S.M. Rahman, APP

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 07-04-2017 Heard learned counsel for the petitioners.

The petitioners are apprehending their arrest in connection with Azamnagar P.S. Case No. 292/2016 registered for offences punishable under Sections 341,323,504,307,379/34 of the Indian Penal Code.

It has been submitted on behalf of the petitioners that as a matter of fact, the occurrence took place due to scuffle between the children of both the parties and allegation against the petitioner No. 1 is that he has assaulted with iron rod which caused fracture injury and petitioner No. 2 assaulted with brick causing simple injury to the informant. Both the parties are neighbours and they have settled the dispute outside the Court and filed a



compromise petition in the court below.

Heard learned A.P.P. also. Learned APP opposes the prayer for bail.

Having heard both sides and in view of the fact that the injury is not on the vital part of the body by the petitioner No.1 and certainly there is no repetition of blow and so far as the allegation against the petitioner No. 2 is concerned, he has assaulted by brick causing simple injury, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of six weeks, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of Sri D.K.Roy, J.M. 1st Class, Katihar in connection with Azamnagr P.S. Case No. 292 of 2016, subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioners will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall co-operate in the investigation of the case and make themselves available as and when required by the police,



otherwise, the prosecution is free to move for cancellation of his bail.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

S.Pandey/-

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

