

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 4116 of 2017

Arising out of P.S. Case No. - 139 Year - 2016 Thana - BAUSI District - PURNIA

- =====
1. Md. Abdul, Son of Rakib.
 2. Md. Ganni, Son of Mosin, Both R/o Village - Sakarbalia, P.S.- Baisi,
District - Purnea

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Dr. Bidhu Ranjan, Advocate

For the Opposite Party : Mr. Sakir Ahmad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 24-03-2017 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 323, 324, 307, 379, 354B, 504 and 506 of the Indian Penal Code.

Petitioner no. 1 Md. Abdul is alleged to have caused injury with *farsa* at the head of the informant.

Submission of the petitioner no. 1 is that there is no allegation of repetition of blow, rather the Doctor has found injury caused by hard and blunt substance which is inconsistent with the prosecution allegation.

Since the petitioner no. 1 had knowledge that his act might cause death, I am not inclined to enlarge him on anticipatory bail.



Hence, prayer for bail of the petitioner no. 1 is refused.

Petitioner No. 2 Md. Ganni, allegedly, torn the clothes of the informant during course of occurrence. There is case and counter case.

Learned counsel for the informant opposed the prayer for bail.

Let petitioner no. 2 Md. Ganni, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, 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, Purnea/Successor Court in connection with Baisi Police Station Case No. 139 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioner no. 2 shall fully co-operate with the investigation and trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner no. 2.

Accordingly, the application stands disposed of.

(Birendra Kumar, J)

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