

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.44603 of 2017

Arising Out of PS.Case No. -82 Year- 2017 Thana -TRIVENIGANJ District- SUPAUL

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1. Md. Ibrahim, Son of Md. Rafique @ Rafique.

2. Md. Nasrool, Son of Md. Safique.

3. Md. Gulsher @ Gulsar, Son of Md. Sabrati .

All are residents of village - Baghla, P.S. Triveniganj, District Supaul.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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with

Criminal Miscellaneous No.47438 of 2017

Arising Out of PS.Case No. -82 Year- 2017 Thana -TRIVENIGANJ District- SUPAUL

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1. Md. Rafique.

2. Md. Safique.

3. Md. Sobrati.

All Sons of Late Mogal Miyan.

4. Md. Harun, Son of Md. Safique.

All are resident of Village- Baghla, P.S. Triveniganj, District- Supaul.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

(In Cr.Misc. No.44603 of 2017)

For the Petitioner/s : Mr. Kamal Kishore Singh, Adv.

For the State : Mrs. Pronati Singh, APP

For the Informant : Mr. Arun, Adv.

(In Cr.Misc. No.47438 of 2017)



For the Petitioner/s : Mr. Kamal Kishore Singh, Adv.

For the State : Mr. Ram Naresh Ray, APP

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH**

ORAL ORDER

3 20-12-2017 Heard the parties.

Both these applications, seeking anticipatory bail, arise out of same Triveniganj P.S. Case No. 82 of 2017, registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 307, 504, 506, 379 and 354(A) of the Indian Penal Code, and are being, therefore, taken up together and being disposed of by this present common order.

It is evident from the First Information Report that the informant and the petitioners are on inimical terms. Earlier, a First Information Report was registered by the informant, being Triveniganj P.S. Case No. 209 of 2016. It is alleged that the petitioners in retaliation had caused the occurrence.

Learned counsel for the petitioners has submitted that the allegations are general and not specific. It has been submitted that the petitioners have been falsely implicated because of already existing dispute between the parties. It has also been submitted that most of the



injuries have been found to be simple in nature, which falsifies the case of the prosecution.

Learned counsel, appearing on behalf of the informant, on the other hand, has submitted that even the female members of the family were assaulted by the petitioners and that one of the injuries is grievous in nature, though in respect of the said injury, opinion has been kept reserved.

However, considering the nature of dispute already existing between the parties, as is evident from the First Information Report, I consider this case to be fit for grant of anticipatory bail.

This application is, accordingly, allowed. Let the petitioners, above named, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of **learned Chief Judicial Magistrate, Supaul**, in connection with **Triveniganj P.S. Case No. 82 of 2017**, 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)

Praveen-II/-

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