

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.460 of 2017

Arising Out of PS.Case No. -247 Year- 2016 Thana -CHHATAPUR District- SUPAUL

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1. Badruddin @ Md. Badruddin, Son of Lal Mohammad.
2. Abdullah @ Md. Abdullah, Son of Noor Mohammad
Both resident of Village- Pariyahi, P.S.- Chhatapur, District-
Supaul.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance:

For the Petitioner/s : Mr. Pramod Mishra, Adv.
For the Informant : Mr. Manoj Kumar Jha, Adv.
For the State : Mr. Abhay Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 02-02-2017 At the very outset, it has been submitted by learned
counsel for the petitioners that petitioner No.2 has been
arrested. Hence, he is not pressing this application on behalf of
petitioner No.2.

Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

The petitioner prays for anticipatory bail in
connection with Chhatapur P.S. Case No.247 of 2016,
registered for the offence punishable under Sections 147, 149,
341, 323, 324, 307, 325, 379, 504 and 506 of the Indian Penal
Code.

It has been submitted on behalf of the petitioner



that there is case and counter case between the parties. It has further been submitted that the petitioner has lodged a criminal case in connection with kidnapping of his son and in that case informant side has been implicated as accused and only to pressurize the petitioner the present case has been lodged by the informant. So far as the allegation against the petitioner that he has assaulted the injured by *lathi* is concerned, as per the injury report the injury is simple in nature.

Heard learned A.P.P.

Learned counsel for the informant submitted that the family members of the informant have not been made accused in the said kidnapping case. However, he has not denied that there is case and counter case between the parties. He has also not pointed out as to what type of injury has been sustained by the injured of whom the petitioner No.1 has assaulted.

Having considered the fact that there is case and counter case between the parties and the injury sustained by the injured is also said to be simple in nature, let the above named petitioner No.1, in the event of his arrest or surrender before the Court below within a period of six weeks from today, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees



Twenty Five Thousand Only) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-II, Supaul, in connection with Chhatapur P.S. Case No.247 of 2016 subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure with further condition that the petitioner shall cooperate in the disposal of the trial and make himself available as and when required by the Court.

Accordingly, this application is allowed.

(Vinod Kumar Sinha, J)

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