

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7556 of 2017

Arising Out of PS.Case No. -378 Year- 2016 Thana -KRITYANAND NAGAR District- PURNIA

- =====
1. Md. Sazim son of Md. Maksud
 2. Md. Mukaddam @ Md. Mukaddam Hussain son of Md. Sazim
Both resident of village-Bakrikol, P.S. K. Nagar (Maranga), Distt.
Purnia.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Md. Hussain, Advocate

For the Opposite Party/s : Mr. S.M. Rahman, APP

For the Informant : Mr. Birendra Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 23-02-2017

This is an application for grant of anticipatory bail for offences punishable under Sections 447, 341, 323, 324, 307, 380, 354 and 504/34 of the Indian Penal Code.

Heard learned counsel for the petitioner.

It has been submitted on behalf of the petitioner that there is case and counter case between the parties. Allegation against petitioner no. 1 is that he has assaulted by bana on the head of the informant and allegation against petitioner no. 2 is that he pulled sari of the informant's wife making her half-naked but the present case is the counter-blast of the case lodged by the petitioner.

Heard learned A.P.P. as well as learned counsel for the informant and they have opposed the prayer for anticipatory bail.

Having heard both sides and from perusal of the impugned order itself it appears that the injury caused to the informant is grievous in nature, as such, prayer for anticipatory



bail of petitioner no. 1 is hereby rejected. However, he may surrender in the court below and make prayer for regular bail which will be considered on its own merit without being prejudiced by the order of this Court.

Let above named petitioner no. 2, in the event of arrest or surrender within a period of six weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty-five thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnia, in connection with K. Nagar (Maranga) P.S. Case no. 378 of 2016 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure. There are other conditions also that (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the investigation and make himself available before the police as and when required.

(Vinod Kumar Sinha, J)

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