

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.53903 of 2017

Arising Out of PS.Case No. -229 Year- 2017 Thana -BARSOI District- KATI HAR

- =====
1. Md. Gulam Mustafa @ Gulam Mustafa , son of Late Zahiruddin.
 2. Md. Mangka @ Md. Akhtar @ Akhtar, son of Late Israil.

Both resident of village- Saula Baghar, P.S. Barsol, Distgrict-Katihar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Qumrul Hoda, Advocate

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, A.P. P.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 09-11-2017 Heard learned counsel for the petitioners and learned A.P.P. for the State.

Petitioners are seeking anticipatory bail in connection with Barsoi P.S.Case No. 229 of 2017 registered for offencesx punishable under Sections 147, 149, 341, 323, 307, 504, 506 and 427 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioners and informant are co-villagers and they had fight over a dispute on a piece of land.

Learned A.P.P. opposes the prayer for bail and submits that in course of investigation, it has been found that these petitioners have assaulted on the head of the informant, causing



head injury, which is grievous in nature.

Considering the nature of allegations and the fact that in course of investigation, these petitioners are said to have actively participated, causing head injury, which is mentioned in para-24 of the case diary, I am not inclined to grant privilege of bail to the petitioner.

Accordingly, prayer of anticipatory bail of the petitioners is rejected .If the petitioners surrender in the Court below within four weeks and make prayer for regular bail, the same shall be considered on its own merit without being prejudiced by this order.

The application stands dismissed.

(Rajeev Ranjan Prasad, J)

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