

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37792 of 2017

Arising Out of PS.Case No. -411 Year- 2017 Thana -KATIHAR District- KATIHAR

1. Md. Jony,

2. Md. Alam

Both Sons of Md. Rafique @ Rafique @ Behra, R/o Mohalla- Rampara,
Ward No. 23, P.S.- Katihar (N), District- Katihar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimal Kumar

For the Opposite Party/s : Mr. Sri Nagendra Prasad

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

2 11-08-2017 Heard learned counsels for the petitioners and the

State.

The petitioners apprehend their arrest in connection
with Katihar Town P. S. Case No. 411 of 2017 instituted under
Sections 448, 323, 324, 379 and 307 of the Indian Penal Code.

The allegation, in brief, is that petitioners stabbed in
the abdomen of the informant and snatched away Rs. 11,000/-
from him.

It is submitted that petitioner no. 2 has been arrested,
so anticipatory bail application filed on his behalf has become
infructuous.

Accordingly, anticipatory bail application on behalf
of the petitioner no. 2 stands dismissed as having become



infructuous.

Learned counsel for the petitioner submits that the informant and the petitioner are agnates living in the same house and on petty issue they quarreled and the injury is simple in nature.

Having considered the nature of injury in the abdomen caused by sharp weapon, the prayer for anticipatory bail of the petitioner no. 1 is rejected.

However, if the petitioner surrenders in the court below and seeks regular bail, the same shall be considered on its own merit without being prejudiced by this order.

(Arun Kumar, J)

Sujit/-

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