

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.10570 of 2018

Arising Out of PS. Case No.-40 Year-2017 Thana- MANPUR District- West Champaran

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1. Fariyad Dewan, S/o Nejamuddin Dewan,
 2. Sabarun Nesa, W/o Fariyad Dewan,
 3. Reyazuddin @ Reyazuddin Dewan, All three are R/o Village-
Chakarsan, P.S.- Manpur, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

For the Opposite Party/s : Mr. SRI SURESH PRASAD SINGH

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

2 22-02-2018 After some arguments, the learned counsel for the petitioners seeks to withdraw the present bail petition as far as the petitioner no. 1 is concerned with liberty to approach the concerned court for grant of regular bail.

Accordingly, the present petition as far as the petitioner no. 1 is concerned, is disposed of as withdrawn with liberty to the petitioner no. 1 to approach the concerned trial court and surrender and in case a prayer for regular bail is made, the same shall be decided by the concerned court on the same day considering the fact that the injuries are not serious in nature and the present case arises out of a family feud.

This is an application for grant of anticipatory bail in connection with Manpur P.S. Case No. 40 of 2017 registered for



the offence punishable under Sections 341, 323, 324, 307, 447 and 504/34 of the Indian Penal Code.

Now, coming to the merit of the case, it is alleged by the informant that the petitioner has assaulted the informant and others resulting in injuries to two persons.

The learned counsel for the petitioners submits that at best there is allegation of assault against the petitioner no. 1 but as far as the petitioners no. 2 and 3 are concerned, there is a general and omnibus allegation. However, the injuries found on the person of the said two persons are simple in nature and not said to have been inflicted on account of any over act on the part of the petitioners no. 2 and 3. It is further submitted that the petitioners are stated to be having a clean antecedent.

Having regard to the facts and circumstances of the case, I deem it fit and proper to admit the petitioners no. 2 and 3 herein to the privilege of anticipatory bail, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-Vth, Bettiah, West Champaran in connection with Manpur P.S. Case No. 40 of



2017 subject to the conditions as laid down under Section
438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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