

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45155 of 2018

Arising Out of PS.Case No. -134 Year- 2018 Thana -BARSOI District- KATIHAR

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1. Md. Hannan @ Hannan, S/o Taj Mahammad, R/o Vill.- Paharpur, P.S.- Barsoi, District- Katihar.

2. Sabnur @ Sabnur Alam @ Sominullah S/o Md. Hannan, R/o Vill.- Paharpur, P.S.- Barsoi, District- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Ziaul Quamar

For the Opposite Party/s : Mr. Sri Ajay Kumar Jha

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 02-08-2018 The petitioners are apprehending their arrest in connection with Barsoi P.S. Case No. 134 of 2018, registered for offences punishable under Sections 341, 147, 148, 149, 323, 307, 504 and 506/34 of the Indian Penal Code and Section 3/4 Dowry Prohibition Act.

Allegation against the petitioner no.1 is of assault by rod and against petitioner no.2 is of assault by dabiya.

Submission of learned counsel for the petitioners is that only one injury caused by hard and blunt substance found by them to muscular deep. Further submitted that as a matter of fact that sister of the petitioner no. 2 was divorced (Talak) by the informant and after that petitioners have lodged a case against the informant



and in order to save their skins from that case, the present case has been lodged.

Heard learned A.P.P. as well as learned counsel for the informant, they have opposed the prayer for bail of the petitioners by stating that there are two injuries on the head of the informant and the injuries were found to be dangerous to life.

From perusal of the injury report, injuries were muscular and muscle deep and by sharp cutting weapon, whereas the allegation against the petitioners is of assault by sharp cutting weapon, but injuries are of hard and blunt substance.

Having heard both sides, in view of the above facts, let the petitioners above named, 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, be enlarged on bail on furnishing bond of Rs. 25,000 (Rs. Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M-I, Katihar in connection with Barsoi P.S. Case No. 134 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C, as well as subject to the following conditions, it is further subject to the condition that:-

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable



property within the jurisdiction of the concerned Court.

- (ii) The petitioners shall cooperate in the investigation and make themselves available as and when required by the police and on the event of failure on their part to appear before the police as and when required without showing any genuine reasons, the prosecution is free to move for cancellation of their bail bonds.

(Vinod Kumar Sinha, J)

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