

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.69538 of 2018

Arising Out of PS. Case No.-159 Year-2018 Thana- AAJAM NAGAR District- Katihar

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1. Md. Arfat, S/o Md. Alam,
 2. Md. Akhtar, S/o Md. Alam, Both are resident of Village- Teghra, P.S.- Ajamnagar (Salmari O.P.), District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar Mishra

For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 17-12-2018 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Ajamnagar (Satmari) P.S. Case No. 159 of 2018 disclosing offences under Sections 341, 323, 324, 307, 504/34 of the Indian Penal Code.

Though there is allegation against petitioner No. 1 of assaulting the informant with *Dabiya* and against petitioner No. 2 of causing injuring on the informant with an iron rod, learned counsel appearing on behalf of the petitioners has submitted that the injuries have been found to be simple in nature. He also submitted that for the same occurrence a counter case has been registered against the informant and others.

Learned counsel appearing on behalf of the informant,



opposing the prayer for anticipatory bail has submitted that considering the nature of assault made by these petitioners they do not deserve anticipatory bail.

Be that as it may, considering the fact that the petitioners have no criminal antecedent and the injuries have been found to be simple in nature, this application is allowed. Let the petitioners, above named, in the event of their arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M. Katihar in Ajamnagar (Satmari) P.S. Case No. 159 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the Police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

HR/Ragini

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