

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38081 of 2018

Arising Out of PS.Case No. -37 Year- 2018 Thana -DEORIYA District- MUZAFFARPUR

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1. Md. Irfan,
2. Golu Both sons of Md. Murtuj @ Muratuja Ali, Resident of Village-
Lakhnauri (Muhabbatpur), P.S.- Deoriya, District- Muzaffarpur.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party.

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Appearance :

For the Petitioner/s : Mr. Virendra Kumar

For the Opposite Party/s : Mr. Sri Parmeshwar Mehta

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH

ORAL ORDER

2 06-07-2018 Heard learned counsel for the parties.

Petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 324, 307, 504, 506/34 of the Indian Penal Code.

The prosecution case as per fardbyan of Md. Gulam recorded by ASI D. Upadhyay of Ahiyapur Police Station on 19-03-2018 at about 5.00 P.M. in S.K.M.C.H. Muzaffarpur is to the effect that on 18-03-2018 at about 7.00 P.M., the informant was inside the house, while Md. Iliyas Alam, nephew of the informant was outside the house. In the meantime, neighbours of the informant, namely Md. Irfan and Golu (both petitioners) came and started assaulting the nephew of the informant. On alarm being



raised, when Khushboo Khatoon, daughter of the informant reached there to rescue Md. Iliyas, the petitioners took her in their house and started inflicting knife blow, as a result of which she received injuries on her head and neck. When the informant reached there, he saw his daughter Khushboo lying unconscious in a pool of blood but on seeing the informant, the petitioners fled away. The accused also caused injury to Nazir Hussain, brother of the informant and Md. Irfan, son of the informant.

It is submitted by learned counsel for the petitioner that in the background of an old dispute, the accusation has been levelled against the petitioners. It is further submitted that four injuries were found, out of which; injury nos. 3 & 4 are found to be simple in nature, whereas; opinion regarding injury nos. 1 & 2 has been kept reserved, awaiting the X-ray report. There is a counter version filed by the petitioners also.

Learned counsel for the State submits that petitioners are named in the FIR and there is allegation of inflicting injuries on the person of informant and his daughter.

Considering the fact that the accusation of causing injury with knife is being corroborated by the medical report and the injuries were caused to a baby girl, this Court is absolutely not impressed upon with the argument of learned counsel for the



petitioners. Accordingly, prayer for anticipatory bail of the petitioners in connection with Deoriya P.S. Case No. 37 of 2018 strands rejected.

Learned Court below will consider the regular bail application of the petitioners in accordance with law without being prejudiced by this order.

(Dinesh Kumar Singh, J)

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