

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11657 of 2018

Arising Out of PS.Case No. -142 Year- 2017 Thana -MAHUA District- VAISHALI(HAJIPUR)

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1. Md. Naushad,
2. Md. Shamshad, both son of Md. Gonour Dhobi, resident of Village-
Rampur Singhara, P.S.- Mahua, District- Vaishali.

.... Petitioners/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioners/s : Mr. Pramod Kumar Pandey

For the Opposite Party/s : Mr. Dr. Indivar Kumari

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 03-04-2018 The petitioners are apprehending their arrest in connection with Mahua P.S. Case No. 142 of 2017, registered for offences punishable under Sections 147, 148, 323, 324, 325, 307, 504 and 149 of the Indian Penal Code.

Allegation against petitioner no. 1 is of knife blow to the informant on his abdomen and allegation against petitioner no. 2 of assaulting the informant by sword causing injury on his finger.

It has been submitted on behalf of the petitioners that no injury report has been brought on record and other co-accused have already been granted the privilege of anticipatory bail by a coordinate Bench of this Court vide order dated 30.01.2018 passed in Cr. Misc. No. 50778 of 2017 and dispute was going on between the parties as the informant and others used to tease the school



going girls, the informant and other had also misbehaved with the sister of informant.

Heard learned A.P.P. also.

Having heard both sides, so far petitioner no. 2 is concerned, there is allegation against him of giving knife blow to the informant causing injury to him, I am not inclined to release the petitioner no. 1.

So far petitioner no. 2 is concerned, considering the facts and circumstances of the case, nature of offence, let the petitioner no. 2, namely, Md. Shamshad, in the event of his 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) with two sureties of the like amount each to the satisfaction of learned CJM, Hajipur, in connection with Mahua P.S. Case No. 142 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.

(ii) The petitioner shall cooperate in the



investigation and make himself available as and when required by the police and on the event of failure on his part two appear before the police on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail bonds.

This application is accordingly, disposed of.

(Vinod Kumar Sinha, J)

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