

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29602 of 2018

Arising Out of PS. Case No.-199 Year-2015 Thana- JOKIHAT District- Araria

1. Md. Irshad @ Irshad,
2. Imtiyaz,
3. Asfaque, all sons of Late Mohammad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana

For the Opposite Party/s : Mr. Sri Upendra Kumar

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 14-05-2018 Heard learned counsel for the petitioners and the
learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Jokihat P.S. Case No. 199 of 2015 registered under Sections 341, 323, 324, 307, 379, 504 and 506/34 of the Indian Penal Code.

The accusation is that informant, Md. Ashad Raja, in course of search of she-goat, met with the petitioner and asked about his she-goat, whereupon, all started to cause injury. In that course, petitioner no. 1 put knife in the mouth of the informant causing cut injury at his lip whereas petitioner nos. 2 and 3 also caused injury to him through Dabia and lathi.

Learned counsel for the petitioner submits that, in fact, due to dirty village politics petitioners have falsely been



implicated in this case. Moreover, out of four injuries as found on the persons of the informant, injury nos. 1, 2 and 4 are simple in nature whereas injury no. 3 was found grievous in nature, which is said to be caused by petitioner no. 1.

Having regard to the facts and circumstances of the case, let the petitioner nos. 2 and 3, namely, Imtiyaz and Asfaque, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the S.D.J.M., Araria, in connection with Jokihat P.S. Case No. 199 of 2015, subject to the condition as laid down under Section 438(2) of the Cr.P.C. However, taking into consideration the nature of allegation against the petitioner no.1, Md. Irshad @ Irshad, his prayer for grant of pre-arrest bail stands rejected with direction to surrender before the trial court within four weeks and pray for regular bail, which shall be considered by the trial court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

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