

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.1563 of 2018**

Arising Out of PS.Case No. -223 Year- 2017 Thana -ALAMNAGAR District- MADHEPURA

- =====
1. Md. Safi @ Md. Safi Ahmad, s/o late Md. Irfan
  2. Md. Azim @ Md. Azimuddin, s/o late Md. Nasir
  3. Md. Wasim @ Md. Wasimuddin, S/o Md. Azim @ Md. Azimuddin
  4. Md. Kamre Alam @ Md. Kamri Alam, s/o Md. Azim @ Md. Azimuddin

All residents of village - Madheli, P.S. Alamnagar, District - Madhepura.

.... .... Petitioner/s

Versus

The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Pawan Kumar, Advocate.

For the Opposite Party/s : Mr. Parmanand Kumar, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA**  
**ORAL ORDER**

4      16-02-2018                      Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in **Alamnagar P.S. Case No. 223 of 2017** instituted for the offence under Sections 341, 323, 324, 307, 379 and 34 of the Indian Penal Code.

Learned counsel for the petitioners has submitted that there is case and counter case between the parties. Petitioner No. 2 has also lodged Alamnagar P.S. Case No. 224 of 2017 on 16.09.2017.

The instant case is counter blast of the aforesaid case for the same date of occurrence, levelling allegation against the



petitioner Nos. 1 and 2 that they brutally assaulted the informant with *Dabia* and *Gransa* on his head. Petitioner No. 3 assaulted the wife of the informant with *Farsa* and allegation against petitioner No. 4 is that he took out Rs.50,000/- after breaking open the box.

Case diary has been received wherein the injury report of both the injured are available. The Doctor has found injury on the person of the informant to be grievous and injury on the person of the wife of the informant simple in nature.

In the written report there is allegation that petitioner Nos. 1 and 2 brutally assaulted the informant with *Farsa* and *Garansa* on his head. The Doctor has found lacerated wound over the forehead size 1 ½” x 1/3” and other injuries were simple in nature.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with **Alamnagar P.S. Case No. 223 of 2017**, they shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of **learned Sub Divisional Judicial Magistrate, Uda-Kishunganj, Distt. Madhepura**, subject to the conditions as laid down under Section



438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and their absence on two consecutive dates without proper and reasonable reason will be liable to cancel their bail bond and (3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

**(Sanjay Priya, J)**

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