

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13653 of 2018

Arising Out of PS.Case No. -247 Year- 2017 Thana -JEHANABAD COMPLAINT CASE District-
JEHANABAD

- =====
1. Arshad Azad @ Md. Arshad Azad, Son of Rafik Mishtri Resident of Mohalla Gilanpar, Police Station Jehanabad, District- Jehanabad.
 2. Jakir Hussain @ Md. Jakir Hussain, Son of Md. Abdul Hanif @ Chamo Mian.
 3. Abdul Hafij @ Abdul Hafij @ Chamo Mian, Son of Late Agig Mian, Both are Resident of Mohalla- Gilarpar, Police Station- Jehanabad, District- Jehanabad.
 4. Sanjay Singh, Son of Late Baleshwsar Singh, Resident of Mohalla Pathaktoli, Police Station Jehanabad, District- Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Md. Nayam, S/o Late Md. Rajjak Mian, Resident of Mohalla- Gareriakhand, P.S. Jehanabad, District- Jehanabad.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Ban Bihari Singh

For the Opposite Party/s : Mr. Sri Indra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 10-04-2018 Heard the parties.

The petitioners are apprehending their arrest in connection with Complaint Case No.247 of 2017, registered for offences punishable under Sections 307, 120(b)/34 of the Indian Penal Code.

Allegation against the petitioner no.1 is that his four wheeler vehicle dashed to the son of the informant causing injury to him and so far petitioner no.4 is concerned, he was sitting in the vehicle and petitioner nos. 2 and 3 are also named in the FIR.



Submission of the learned counsel for the petitioners is that there is dispute between the parties with respect to shop run by the petitioner no.1 and the informant wanted to get it vacated.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances and from perusal of the impugned order it appears that the injury appears to be of fracture, which is based on the photocopy of the injury report.

Considering the facts and circumstances, so far petitioner no.1 (Arshad Azad @ Md. Arshad Azad) is concerned, he is directed to make prayer for regular bail, which will be considered by the learned court below on its own merit without being prejudiced by the order of this Court, however, Petitioner nos. 2 (Jakir Hussain @ Md. Jakir Hussain), 3 (Abdul Hafij @ Abdul Hafix @ Chamo Mian) and 4. (Sanjay Singh) are concerned, let the petitioner nos. 2, 3, and 4, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of order, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Jehanabad in connection with Complaint Case no.247 of 2017, subject to condition as laid down under Section 438 (2) of the



Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioners will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall co-operate in the investigation of the case and make themselves available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of their bail bond.

With the aforesaid observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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