

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11956 of 2019

Arising Out of PS. Case No.-56 Year-2018 Thana- BELSAND District- Sitamarhi

1. Md. Taiyab aged about 38 years Gender-Male, Son of Jahir Resident of village-Jafarpur,P.S.-Belsand, District-Sitamarhi.
2. Md. Abulash @ Md. Abulaish @ Md. Abulais aged about 40 years, Gender – Male, Son of Khush Mohammad Resident of village-Jafarpur, P.S.-Belsand, District-Sitamarhi.
3. Kaish @ Md. Kaish @ Md. Kaish Alam aged about 38 years Gender-Male, Son of Khush Mohammad Resident of village-Jafarpur, P.S.-Belsand, District-Sitamarhi.
4. Md. Safak aged about 32 years Gender – Male, Son of Wahid Miya. Resident of village-Jafarpur, P.S.-Belsand, District-Sitamarhi.
5. Md. Meraj @ Md. Meraj Alam, aged about 21 years Gender-Male, Son of Khush Mohammad Resident of village-Jafarpur, P.S.-Belsand, District-Sitamarhi.
6. Md. Rahmat Alam @ Md. Rahmad Alam, aged about 35 years Gender-Male, Son of Phul Mohammad @ Phul Mahmad
All are Resident of village-Jafarpur, P.S.-Belsand, District-Sitamarhi.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok
For the Opposite Party/s : Mr.Sanjay Kumar Singh

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 28-02-2019 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are seeking anticipatory bail in connection with Belsand P.S. Case No. 56/2018 registered under Sections 147, 148, 323, 354, 324, 325, 313, 307/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the



specific allegation of assault by Garansa is against co-accused Md. Saddam who is not before this court. So far as these petitioners are concerned, they are said to have been indulged in the fight between the parties which has resulted in the case and counter case. The injuries caused on the informant side in the present case are said to be simple in nature. These petitioners have no criminal antecedent. However, for the same alleged occurrence two F.I.Rs. have been lodged and therefore legally there is one case pending against the petitioners but the petitioners are on bail in that case.

Learned A.P.P. for the State is present and has opposed the prayer for anticipatory bail of the petitioners.

Considering the facts and circumstances of the case whereunder there are general and omnibus allegations are said to be there against the petitioners and the main allegation of giving Garansa blow is against co-accused Md. Saddam, who is not before this court, as also there is case and counter case and the case lodged by the petitioners' side is said to have been lodged before the present case was lodged by the informant, in the event of their arrest/surrender before the court below within a period of four weeks, let the above-named petitioner be enlarged on bail furnishing bail bond of Rs. 15,000/- (Rupees



Fifteen Thousand only) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M. - I, Sitamarhi, in connection with Belsand P.S. Case No. 56/2018, subject to condition that petitioners will join investigation by reporting to the Investigating Officer within a period of two weeks from today and will cooperate in course of investigation. This will be in addition to condition prescribed under Section 438(2) of the Code of Criminal Procedure.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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