

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11358 of 2019

Arising Out of PS. Case No.-281 Year-2018 Thana- KHAIRA District- Saran

Zumaddin Miyan, aged about 50 years, Male, Son of Late Aliyash Miyan
Resident of Village - Nagra Dhobi Tola, P.S.- Khairah, District - Saran

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Chandra Mohan Jha
For the Opposite Party/s	:	Mr.Umeshanand Pandit
For the Informant	:	Mr. Shyamal Prakas, Adv.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 26-02-2019 Learned counsel for the informant appears and files a
Vakalatnama, let it be kept on record.

Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

Petitioner is seeking anticipatory bail in connection
with Khaira (Nagra O.P) P.S. Case No. 281 of 2018 dated
22.10.2018 registered for the offences punishable under
Sections 341, 323, 307, 504 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that so
far as this petitioner is concerned, he is said to be the
order giver. The specific allegation of giving an 'Iron Rod'
blow on the head of the informant is against Md. Irshad alias
Idd Mohammad. In the later part of the F.I.R., there is an



allegation that this petitioner and one Tippu had assaulted the husband of the informant by 'Lathi and Danda'. It is submitted that Tippu against whom there is similar allegation has been granted privilege of anticipatory bail by the learned Sessions Judge, Saran at Chapra however, the prayer for bail of this petitioner has been rejected.

Learned counsel representing the informant submits that after the 'Iron Rod' blow was given by Md. Irshad alias Idd Mohammad causing grievous injury on the head of the husband of the informant, this petitioner and Tippu both had given 'Lathi' blow.

Learned APP for the State has also supported the plea of the informant.

In the given facts and circumstances of the case, where it appears to this Court from the record that the grievous injury on the head is specifically attributed to the accused, Md. Irshad alias Idd Mohammad and so far as, this petitioner is concerned, his case is similarly situated to Tippu who has been granted privilege of anticipatory bail, let in case of arrest or surrender of the petitioner within a period of four weeks from today, the abovenamed petitioner is directed to be enlarged on bail on furnishing bail bond of Rs.15,000/- (rupees fifteen



thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M-X, Saran at Chapra in connection with Khaira (Nagra O.P) P.S. Case No. 281 of 2018, subject to the condition that petitioner shall join the investigation by reporting to the Investigating Officer within a period of two weeks from today and shall cooperate in course of investigation. This will be in addition to condition prescribed under Section 438(2) of the Cr.P.C.

(Rajeev Ranjan Prasad, J)

R.R.Ojha/-

U		T	
---	--	---	--

