

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.20248 of 2019**

Arising Out of PS. Case No.-862 Year-2018 Thana- ARARIA District- Araria

1. Md. Samim @ Samiujama Son of Late Alam Resident of Village - Koshkipur, P.S.- Baigachhi, District Araria
2. Md. Mahtab Alam @ Mahtab Son of Md. Samim @ Samiujama Resident of Village - Koshkipur, P.S.- Baigachhi, District Araria
3. Md. Intkhab Alam @ Md. Intekhab Son of Md. Samim @ Samiujama Resident of Village - Koshkipur, P.S.- Baigachhi, District Araria
4. Md. Intiyaj Alam @ Md. Intiyaj Son of Samim @ Samiujama Resident of Village - Koshkipur, P.S.- Baigachhi, District Araria
5. Md. Irshad Son of Late Md. Hasim Resident of Village - Doria Sonapur, P.S.- Simraha, District Araria
6. Md. Masood Son of Md. Isha Resident of Village - Batarbari, P.S.- Tarabari, District Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Md. Ziaul Quamar  
For the Opposite Party/s : Mr.Prem Kumar Jha

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      02-04-2019                      Heard learned counsel for the petitioners and learned  
APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 147, 148, 149, 323, 448, 307, 324, 354B, 379 of the Indian Penal Code.

Allegation is that the accused persons including the petitioners assaulted the informant and his family members by deadly weapons, due to which they sustained injuries.

It has been submitted on behalf of the petitioners that the



petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. Both the parties are agnates. Prior to institution of the present case, a case was instituted by petitioner No.1 vide Annexure 1 to the present application against the informant and others. In retaliation of the said case, the present case has been instituted. The nature of injury is said to be simple. Hence, no offence under Section 307 of the I.P.C. is made out. Rest of the offences are triable by the Magistrate.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Araria P.S. case No.862 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Sudhir Singh, J)**

Narendra/-

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