

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19144 of 2019

Arising Out of PS. Case No.-9 Year-2019 Thana- RAUTA District- Purnia

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1. Md. Qurban @ Qurban, aged about 50 years (Male), Son of Ibrahim.
 2. Gulab, aged about 50 years (Male), Son of Md. Qurban.
 3. Shakil, aged about 20 years, (Male), Son of Md. Qurban.
 4. Ajmeri Begum, aged about 70 years (Female), Wife of Abbas.
 5. Shakila Begam, aged about 45 years (Female), Wife of Qurban.
- All are resident of Village - Akhtiyarpur, P.S.- Rauta, District-
Purnea.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s :	Mr. Md. Helal Ahmad
For the Opposite Party/s :	Mr. Ram Anurag Singh

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 01-04-2019 Heard learned counsel for the petitioners and
learned counsel for the State.

In this case, the petitioners are seeking anticipatory
bail in connection with Rauta P.S. Case No. 09 of 2019,
registered for the offence under Sections 341, 323, 324 and
307/34 of the Indian Penal Code.

Allegation has been made that while the informant
was going to attend the call of nature, the present petitioners
attacked upon him. It has also been alleged that the petitioner
no.1 was in drunken condition, gave iron rod blow on the head
of the informant, due to which the informant sustained injuries



on his head and eyes.

Learned counsel for the petitioners submits that there are case and counter case from both the sides. He further submits that petitioner no.1 was also assaulted by the informant, led to his admission in the hospital.

Specific allegation has been made against the petitioner no.1 to have inflicted iron rod blow on the head of the informant. In the impugned order, the Court below also recorded the nature of injury sustained by the informant on the eye-brow and scalp. However, no specific allegation has been made against the petitioner nos. 2 to 5.

Looking to the aforesaid facts, let the above-named petitioner nos. 2 to 5 be released on anticipatory bail in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of the A.C.J.M.-2, Purnea, in connection with Rauta P.S. Case no. 09 of 2019, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

So far the bail of petitioner no.1 is concerned, the same is rejected. However, if the petitioner no.1 surrenders



before the Court below within four weeks from today and prays
for regular bail, the Court below will consider the same and pass
appropriate order without being influenced by the order of this
Court.

(Shivaji Pandey, J)

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