

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.71465 of 2018

Arising Out of PS. Case No.-828 Year-2018 Thana- SAHARSA District- Saharsa

-
1. Md. Naseef @ Nafees @ M. Nafees Ahmed, Son of Md. Maulana Jalani @ Abdus Samad
 2. Md. Yusuf @ Md. Yusuf Azad, Son of Md. Maulana Jalani @ Abdus Samad
Both resident of Village- Milehi, P.S.- Jalai, District- Saharsa, At present- near Alinagar Masajid, rented house, P.S.- Saharsa, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Chhote Lal Mishra
For the Opposite Party/s :	Mr. Jitendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 09-01-2019 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 308, 379, 504 and 506/34 of the IPC.

The prosecution case, as per the fardbeyan of Umar Abdulah, recorded by A.S.I., Dhan Bihari Mishra, on 18.07.2018, at 10.30 AM at Sadar Hospital, Saharsa is to the effect that on 17.07.2018 at 10.25 AM, the informant was going for study on a bicycle, but he was surrounded by four accused persons, out of whom, he identified the petitioners, who assaulted the informant on his head with fists and slaps, while



the other unknown accused persons assaulted the informant with hockey stick and butt of the pistol. It is further alleged that the petitioner no.1, Md. Naseef snatched Rs. 5,000/- from the pocket of the informant.

It is submitted by learned counsel for the petitioners that in the background of petty dispute, the accusation has been levelled. The impugned order suggests that the injuries of the informant have been found to be simple. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP submits that there is specific accusation against the petitioners.

Considering the fact that accusation against the petitioners is of assaulting the informant with fists and slaps, moreover, the injuries of the informant have been found to be simple, coupled with the statement made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioner be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of



learned Chief Judicial Magistrate, Saharsa in connection with
Saharsa Sadar P.S. Case No. 828 of 2018, subject to the
condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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

