

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.79417 of 2018

Arising Out of PS. Case No.-277 Year-2017 Thana- BARHARA KOTHI District- Purnia

1. Md. Mubarak Son of Md. Israil
2. Md. Fulchand Son of Md. Taflu Both residents of Village- Murballa, P.S.- Barhara, District - Purnea.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar Sinha, Adv

For the Opposite Party/s : Mr.Sri Aditya Narayan Singh 1,APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 23-01-2019 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 448,341,323,324,307,504,506,34 of the Indian Penal Code.

For land dispute, there is case and counter case. Petitioner-Md. Mubarak and co-accused-Md.Israil allegedly assaulted with Dabiya causing injury to Md.Shadir and Md.Moshaid respectively.

Submission of the learned counsel for the petitioners is that there is no allegation of repetition of blow and the Doctor has found simple injury on the person of deceased.

Since petitioner-Md.Mubarak had knowledge that



his act might cause death. Hence, I am not inclined to enlarge him on anticipatory bail. Prayer is refused. He is directed to surrender within three weeks and pray for regular bail.

There is no such allegation against petitioner-Md. Fulchand. Hence, let him, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.20,000 (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Barhara P.S.Case No. 277 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and further the petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

Accordingly, this application stands disposed of.

(Birendra Kumar, J)

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