

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38914 of 2019

Arising Out of PS. Case No.-686 Year-2018 Thana- NARPATGANJ District- Araria

1. MD. SHAMIM S/o- Late Sahbuddin Resident of Village- Swaldah Majhua, Ward No. -13, P.S.- Narpatganj, District- Araria.
2. Md. Siraj S/o- Najam Resident of Village- Swaldah Majhua, Ward No. -13, P.S.- Narpatganj, District- Araria.
3. Md. Gulab S/o- Md. Faruk Resident of Village- Swaldah Majhua, Ward No. -13, P.S.- Narpatganj, District- Araria.
4. Rajiya Khatoon S/o- Md. Jamil Resident of Village- Swaldah Majhua, Ward No. -13, P.S.- Narpatganj, District- Araria.
5. Md. Jabir S/o- Md. Karun Resident of Village- Swaldah Majhua, Ward No. -13, P.S.- Narpatganj, District- Araria.
6. Sairun Khatoon W/o- Md. Jhabi Resident of Village- Swaldah Majhua, Ward No. -13, P.S.- Narpatganj, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Gopal Kumar Jha, Advocate
For the Opposite Party/s	:	Mr. Akhileshwar Dayal, APP
For the Informant	:	Mr. Ranjeet Choubey, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 20-09-2019 Heard learned counsel for the petitioners, learned counsel for the informant and learned APP for the State.

The petitioners in the present case are seeking anticipatory bail in connection with Narpatganj P.S. Case No. 686 of 2018 registered for the offences punishable under Sections 307, 147, 148, 149, 341, 323, 324, 325, 447, 379, 504 of the Indian Penal Code and Section 27 of the Arms Act.

In view of the order dated 26.06.2019 passed by a



learned co-ordinate Bench of this Court, the present application has remained pending only with respect to Md. Gulab (petitioner no. 3) and Md. Jabir (petitioner no. 5).

Learned counsel for the petitioners submits that so far as Md. Gulab (petitioner no. 3) is concerned, there is allegation that he had damaged the tooth of the informant, in the injury report it has been found to be simple in nature.

As regards petitioner no. 5, it is submitted that neither there is any specific allegation in the first information report against him nor in the case diary any material has been collected so far by the investigating officer against him.

Learned counsel for the informant as well as learned APP for the State have upon going through the case diary submitted before this Court that no specific material has been collected against petitioner no. 5.

Considering the facts and circumstances of the case where the alleged injury said to have been caused by petitioner no. 3 is simple in nature and there is no specific allegation or material against petitioner no. 5, let in case of arrest or surrender within a period of four weeks from today in connection with Narpatganj P.S. Case No. 686 of 2018 petitioners no. 3 and 5 be released on bail on furnishing of bail bonds of Rs. 15,000/-



(fifteen thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Araria, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

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