

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43265 of 2019

Arising Out of PS. Case No.-23 Year-2019 Thana- KEWATI District- Darbhanga

1. MD. ANJAR @ ANJAR Son of Late Md. Imteyaz, Resident of Village-Barhi, P.S.- Keoti, District- Darbhanga.
2. Chand Ali @ Mister @ Mohd. Chand Ali Son of Md. Ansar, Resident of Village- Barhi, P.S.- Keoti, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinay Kumar Mishra, Adv.

For the Opposite Party/s : Mr.Rajendra Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 12-07-2019 Heard learned counsel for the petitioners, learned counsel for the informant and learned Additional Public Prosecutor for the State.

In this case, the petitioners are seeking anticipatory bail in connection with Keoti P.S. Case No. 23 of 2019 registered for offence punishable under sections 341, 323, 324, 307, 504, 506/34 of the Indian Penal Code.

Allegation has been made that the accused persons including the petitioners came with iron rod and hockey stick, surrounded the informant and co-accused Irshad ordered to kill the informant. It has further been alleged that Irshad gave iron rod blow on the head of the informant and other accused



including the petitioners assaulted the informant with hockey stick and due to that he received head injury, became unconscious, fell on the ground and thereafter, he was carried to D.M.C.H. and later on, he was shifted to P.M.C.H. for better treatment.

The learned counsel for the petitioners submits that two-three days earlier, the informant and other accused persons were aggressive and have mercilessly assaulted to Ansar and he was admitted to D.M.C.H. and he has also been made accused in the police case. So far report of nature of injury of Ansar is not before this Court. It is not the case of Ansar rather it is the case of the present petitioners having criminal history.

Looking to the entire facts and circumstances of the case, this Court is not inclined to grant bail to the petitioners and accordingly their prayer for bail is rejected. However, if they surrender, the court below without being prejudiced by this order, will take decision in accordance with law, preferably on the day of their appearance.

(Shivaji Pandey, J)

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