

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42915 of 2019

Arising Out of PS. Case No.-44 Year-2019 Thana- TARABARI District- Araria

1. AJAN, Son of Late Salim, Resident of Village - Jhamta Ward No. 12, P.S.- Tarabari, Distt - Araria.
2. Ekbal, Son of Late Sher Ali, Resident of Village - Jhamta Ward No. 12, P.S.- Tarabari, Distt - Araria.
3. Ajnar Son of Sainul, Resident of Village - Jhamta Ward No. 12, P.S.- Tarabari, Distt - Araria.
4. Muzaffar @ Md. Mujaffar, Son of Sainul, Resident of Village - Jhamta Ward No. 12, P.S.- Tarabari, Distt - Araria.
5. Afsar, Son of Alam, Resident of Village - Jhamta Ward No. 12, P.S.- Tarabari, Distt - Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh

For the Opposite Party/s : Mr. Rajendra Prasad Nat

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 12-07-2019 This is an application for grant of anticipatory bail in connection with Tarabari P.S. Case No. 44 of 2019, disclosing offences under Sections 147, 148, 149 341, 323, 324, 325, 326, 307, 427, 504 & 506 of IPC.

Prosecution story is that crops of the informant was damaged by the petitioners and when the informant raised a complain against them, the accused persons came armed with lathi and farsa and assembled at the door of the informant and there is specific allegation against all the petitioners to different persons.



Submission of the learned counsel for the petitioners is that there is a case and counter case between the parties and the injuries attributed by petitioners no.1,3 & 4 are found to be grievous in nature and so far as other petitioners are concerned, the injuries are found to be simple in nature. Injuries attributed by petitioner no.3 though grievous but on the hand which is not the vital part of the body.

Heard learned A.P.P. as well as learned counsel for the informant also, they have opposed the prayer for anticipatory bail.

Having heard both sides, considering the above submissions, so far as, petitioners no. 2, 4 & 5 are concerned, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount to the satisfaction of learned S.D.J.M. Araria, in connection with Tarabari P.S. Case No. 44 of 2019, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

So far as, petitioners no. 1 & 3 are concerned, let they may surrender before the learned court below and make payer for regular bail, the same shall be considered by the learned



court below on its own merit, without being prejudiced by order of this Court.

With the above direction, this application is disposed of.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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