

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48177 of 2019

Arising Out of PS. Case No.-180 Year-2019 Thana- BHORE District- Gopalganj

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1. Hamid Mian Son of Late Subedar Mian Resident of Village - Khiriya, P.S.- Bhore, Distt - Gopalganj.
 2. Nur Alam @ Noor Alam Son of Hamid Mian Resident of Village - Khiriya, P.S.- Bhore, Distt - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sushil Kumar

For the Opposite Party/s : Mr.Ram Bilash Roy Raman

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 16-11-2019 Heard learned counsel for the petitioners, learned
APP for the State and learned counsel for the informant.

The petitioners are apprehending their arrest in connection with Bhore P.S. case No.180 of 2019 registered under Sections 341, 323, 307, 324, 325/34, 504, 506 of the Indian Penal Code, pending in the court of Chief Judicial Magistrate, Gopalganj.

Allegation is that the petitioner No.1 inflicted farsa blow on the informant causing head injury to him and petitioner No.2 Noor Alam assaulted him with bamboo on his head which cause fracture injury in right hand.

It has been submitted on behalf of the petitioners that



the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. It is a case and counter case between the parties. Both the parties are agnates. Free fight is alleged to have taken place. There is no other substantive evidence to suggest the implication of the petitioners in the present case nor there is any eye witness to the alleged occurrence.

On behalf of the State and learned counsel for the informant, it is submitted that the petitioners are named in the F.I.R. The specific allegation of assault is alleged against the petitioner. The injury report also corroborates the allegations made in the F.I.R.

Considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to the petitioners. The same is rejected.

If the petitioners surrender before the court below and pray for regular bail, same shall be considered on its own merit without being prejudiced by this order.

Narendra/-

(Sudhir Singh, J)

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