

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54754 of 2019

Arising Out of PS. Case No.-116 Year-2019 Thana- DARAUNDA District- Siwan

1. SAMSAD AHMAD @ SHAMSHAD ALAM Son of Late Eid Mohammad Resident of Village-Pakawaliya, Police Station-Daraunda, District-Siwan.
2. Mohammad Israil Ansari @ Md. Israil Ansari @ Md. Israil Son of Late Eid Mohammad Resident of Village-Pakawaliya, Police Station-Daraunda, District-Siwan.
3. Akhtar Hussain Son of Late Eid Mohammad Resident of Village-Pakawaliya, Police Station-Daraunda, District-Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh

For the Opposite Party/s : Mr.Surendra Kumar

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 30-08-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Daraunda P.S. Case No.116 of 2019 registered under Sections 341, 323, 324, 307, 504 and 506/34 of the Indian Penal Code.

The accusation is that on the order of the petitioner no.2, namely, Mohammad Israil Ansari alias Md. Israil Ansari alias Md. Israil, the petitioner no.1, namely, Samsad Ahmad alias Shamshad Alam, caused blood oozing injury on the head of the informant through sword, whereas the petitioner no.3,



namely, Akhtar Hussain caused injury on the right hand of the informant through lathi.

Learned counsel for the petitioners submits that the petitioner no.2 is an order giver. There is specific allegation against the petitioner nos.1 and 3 to cause injury on the head and right hand of the informant through sword and lathi respectively.

Having considered the facts and the circumstances of the case, let the petitioner no.2, namely, Mohammad Israil Ansari alias Md. Israil Ansari alias Md. Israil, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Smt. Anupama, Judicial Magistrate, First Class, Siwan, in connection with Daraunda P.S. Case No.116 of 2019, subject to the conditions laid down under Section 438(2) Cr.P.C.

So far as the petitioner no.1, namely, Samsad Ahmad alias Shamshad Alam, and the petitioner no.3, namely, Akhtar Hussain, are concerned, considering the nature of allegation against them, I am not inclined to grant the privilege of pre-arrest bail to them. Accordingly, their prayer for grant of



privilege of pre-arrest bail stands rejected. However, they are directed to surrender before the trial within four weeks from today and pray for regular bail, which shall be considered by the trial court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

P.S./-

U		T	
---	--	---	--

