

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.77352 of 2018

Arising Out of PS. Case No.-233 Year-2017 Thana- BHAWANIPUR District- Purnia

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1. Md. Raeesh son of Late Manchu.
 2. Md. Sudish @ Sudish son of Md. Raeesh.
 3. Md. Saddam son of Late Md. Yasin.
 4. Md. Yunus son of Late Md. Yasin. All Resident of Village- Kusha, P.S. Bhawanipur, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kamal Kishore Jha

For the Opposite Party/s : Mr.Sri Ramchandra Sahani

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 10-01-2019 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners seek pre-arrest bail in connection with Bhawanipur P.S.Case No. 233 of 2017 registered under Sections 341, 323, 307, 379, 447, 504, 506 and 34 of the Indian Penal Code.

It is submitted by the learned counsel for the petitioners that the informant and petitioner no.1 Md. Raewesh are full brothers. The instant FIR has been lodged as a counter blast to Bhawanipur P.S.Case No.232 of 2017 lodged by one Sajbun Khatoon, wife of petitioner no.3, in order to save their own skin from their illegal act and highhandedness.

On the other hand, learned counsel appearing for the



State submitted that there is specific allegation in the FIR against petitioner no.3 Md. Saddam that he assaulted the informant with *dabia* causing serious injury over his head.

Having heard learned counsel for the parties and perused the record, in the event of arrest or surrender before the court below, the petitioner nos. 1, 2 and 4, namely, Md. Raesh, Md. Sudish @ Sudish and Md. Yunus are directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Purnea in connection with Bhawanipur P.S. Case No.233 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

As far as petitioner no.3 Md. Saddam is concerned, his application for grant of pre-arrest bail is rejected. In case, he surrenders and seeks bail, the same shall be considered on merits without being prejudiced in any manner by this order.

(Ashwani Kumar Singh, J)

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