

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57816 of 2019

Arising Out of PS. Case No.-225 Year-2019 Thana- RAJAOLI District- Nawada

1. MD. IRSHAD ALAM @ IRSAD ALAM @ BAHADUR MIYAN Son of Md. Samsuddin Miyan @ Md. Shamashu Miyan Resident of Village- Kundla, P.S. Rajauli, District- Nawada.
2. Md. Imtiyaj @ Imtiyaj @ Meraj Miyan Son of Md. Samsuddin Miyan @ Md. Shamashu Miyan Resident of Village- Kundla, P.S. Rajauli, District- Nawada.
3. Izahar Alam @ Md. Izahar Alam Son of Md. Samsuddin Miyan @ Md. Shamashu Miyan Resident of Village- Kundla, P.S. Rajauli, District- Nawada.
4. Nisar @ Md. Nisar Son of Md. Samsuddin Miyan @ Md. Shamashu Miyan Resident of Village- Kundla, P.S. Rajauli, District- Nawada.
5. Taj Alam @ Md. Taj Alam Son of Md. Samsuddin Miyan @ Md. Shamashu Miyan Resident of Village- Kundla, P.S. Rajauli, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sada Nand Roy
For the Opposite Party/s : Mr.Pramod Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 13-09-2019

Heard learned counsel for the parties.

This application for anticipatory bail arises out of Rajauli P.S. Case No. 225 of 2019, disclosing the offence under Sections 147, 148, 149, 341, 323,324, 307, 379 of the Indian Penal Code.

It is alleged in the FIR by the informant that noticing some scuffle going on between the shop-keeper and one Raja Kumar, he had attempted to pacify the situation. Allegedly,



thereafter the persons named in the FIR rushed to the place of occurrence and started assaulting the informant. There is allegation against co-accused Bahadur Miya of having assaulted the informant in his head and co-accused Miraj Miya of having assaulted him with knife. It is alleged against the petitioner No.3 that he also assaulted with knife which hit the informant's abdominal portions. There is also allegation of taking away of some cash and valuables.

Learned counsel appearing on behalf of the petitioners has submitted that there is no specific allegation against these petitioners of assault except petitioner No.3. The injury which is said to have been caused by the petitioner No.3 is not found to be grievous in nature.

Considering the above submission, this application is allowed. Let the petitioners, above-named, in the event of their arrest/surrender within six weeks from today in the court below, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand), each with two sureties of the like amount, each to the satisfaction of the learned Chief Judicial Magistrate, Nawada in connection with Rajauli P.S Case No. 225 of 2019, subject to the condition as laid down under Section 438 (2) of the Code of Criminal Procedure.



This is subject to the condition that the petitioners shall present themselves before the police/ Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bounds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

T.Kr./-

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