

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.76294 of 2018

Arising Out of PS. Case No.-254 Year-2017 Thana- KURSAKANTA District- Araria

1. Md. Zahid, S/o Sk. Abid,
2. Sk. Abid, S/o Late Md. Yunus, Both residents of Village- Garaiya Lailokhar P.S.- Kursakanta (Kuwari O.P.), District- 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. Sri Mukeshwar Dayal

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 09-01-2019 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

This application for anticipatory bail, arises out of Kursakanta P.S. Case No. 254 of 2017, disclosing offences under Sections 341, 323, 325, 307, 379/34 of the Indian Penal Code.

From the first information report, it appears that the petitioners and the informant entered into a quarrel out of sudden provocation. Allegation is that the petitioners assaulted the grandson of the informant with fists and slaps and the petitioner no. 1 assaulted the victim with a brick-stone causing head injuries. It is being argued that the occurrence, if any, had taken place, it was because of the sudden provocation at the spur



of the moment. The petitioners do not have any criminal antecedent.

Considering the submission, as above, this application is allowed.

Let the petitioners, above-named, 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. 10,000/-(ten thousand) each, with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. V, Araria in connection with Kursakanta P.S. Case No. 254 of 2017, subject to the condition 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 bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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