

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62821 of 2019

Arising Out of PS. Case No.-82 Year-2015 Thana- BARH District- Patna

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1. MD. IQQBAL ALAM @ MD. IQBAL ALAM Son of Md. Abdul Hasan Resident of Village- Salempur, P.S.- Barh, District- Patna.
 2. Md. Ahsan Son of Md. Abdul Hasan Resident of Village- Salempur, P.S.- Barh, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar

For the Opposite Party/s : Mr. Navin Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 15-10-2019 This application, for grant of anticipatory bail, arises out of Barh P.S. Case No. 82 of 2015, disclosing offences under Sections 341, 323, 379, 307 and 34 of the Indian Penal Code.

Allegation against the petitioner is of assault to the informant by means of handle of generator and petitioner is also named in the F.I.R.

Submission of learned counsel for the petitioners is that due to dispute with regard to money transaction occurrence has taken place and furthermore, although there is allegation against petitioner no. 1 of having assaulted the informant by means of handle of generator but no injury report has been brought on record.



Heard learned A.P.P. also.

Having heard both sides, considering the facts and circumstances, so far petitioner no. 2 is concerned, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Barh, in connection with Barh P.S. Case No. 82 of 2015, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

So far petitioner no. 1 is concerned, I am not inclined to grant the privilege of anticipatory bail to the petitioner rather petitioner should surrender before the court below and make prayer for regular bail and if any such application is filed, the court below will dispose of the same on the basis of nature of injury caused to the informant.

This application is, accordingly, disposed of.

(Vinod Kumar Sinha, J)

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