

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66536 of 2019

Arising Out of PS. Case No.-303 Year-2019 Thana- BIHARSHARIF District- Nalanda

1. SADAB Son of Late Mokhtar Alam Resident of Mohalla- Banalia, P.S.- Bihar, District- Nalanda.
2. Buland Akhtar @ Tipu S/o Late Abdul Ganni Resident of Mohalla- Banalia, P.S.- Bihar, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Anjani Pd. Singh
For the Opposite Party/s : Mr.Amit Kumar Rakesh

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 07-11-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Bihar P.S. Case No. 303 of 2019, registered under Sections 341, 323, 325, 504, 506, 307, 379 and 295(A)/34 of the Indian Penal Code.

The accusation is that nine persons named in the F.I.R., including the petitioners, reached at the door of the informant Niraj Kumar and started to abuse him denoting his caste at that time Sadab (Petitioner No.1) ordered on which Buland Akhtar @ Tipu attacked on him through butt of pistol causing injury to him. Thereafter, co-accused Dablu surrounded him and laid on the ground at that time, petitioner No.2 caused injury through butt of pistol on his forehead.



Learned counsel for the petitioners submits that due to some grudge, occurrence of Marpit took place in two communities in which petitioners' side also sustained injury regarding which Bihar P.S. Case No. 304 of 2019 was also instituted on the basis of fardbeyan of Md. Firoj against informant and others of the present case. Moreover, while the allegation of causing assault to the informant through butt of pistol is against petitioner No.2, but no specific overt act has been attributed against petitioner No.1. Further submission is that petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Nalanda at Bihar Sharif in connection with Bihar P.S. Case No. 303 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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