

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67121 of 2019

Arising Out of PS. Case No.-165 Year-2019 Thana- BARSOI District- Katihar

1. MD. ZULFUKAR @ MD. JULFAKAR Son of Late Aiyub @ Aiyub Alam Resident of Village - Manaikher, P.S.- Barsoi, District- Katihar
2. Saddam Hussain @ Md. Saddam Alam @ Saddam Hussain Son of Md. Zulfukar @ Md. Julfakar Resident of Village - Manaikher, P.S.- Barsoi, District- Katihar
3. Kawsar Jahan @ Kousar Jahan @ Koasar Zaha Khatoon Wife of Md. Zulfukar @ Md. Julfakar Resident of Village - Manaikher, P.S.- Barsoi, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Najeeb Ahmad

For the Opposite Party/s : Mr.Kumar Veerendra Narayan

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 24-10-2019 This application, for grant of anticipatory bail, arises out of Barsoi P.S. Case No. 165/2019, disclosing offences under Sections 341, 323, 307, 325 and 354B/34 of the Indian Penal Code.

Allegation against petitioner no. 1 is of assault by Khanti and allegation against petitioner no. 2 is of assault by sickle to the father of informant and against all the petitioners, there is allegation of assault to mother of informant.

Submission of learned counsel for the petitioners is that there is case and counter case, no specific allegation has been attributed to petitioner no. 3 and though petitioner no. 2



said to have assaulted the father of informant by sickle but no sharp injury was found on the person of father of informant. Petitioner no. 2 is own brother of the informant and there is property dispute between them.

Heard learned A.P.P. also, who has opposed the prayer for anticipatory bail on the ground that one of the injuries sustained by father of informant on his head and one of the injuries sustained by the informant on hand, were found to be grievous.

Having heard both sides, considering the facts and circumstances, so far petitioner nos. 2 and 3 are concerned, in the event of their arrest or surrender before the court below within six weeks, they are directed to 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 Additional Chief Judicial Magistrate -I, Katihar, in connection with Barsoi P.S. Case No. 165/2019, 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 no. 1 rather he has to 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 merit of the case, without being prejudiced by this order.

This application is, accordingly, disposed of.

(Vinod Kumar Sinha, J)

sunilkumar/-

U		T	
---	--	---	--

