

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3856 of 2020

Arising Out of PS. Case No.-287 Year-2019 Thana- BAIRIYA District- West Champaran

1. SARAJUL MIAN @ SERAJUL MIAN S/o Late Bhola Mian R/o village- Bagahi (Bakuliya Tola), P.S.- Bairiya, Distt.- West Champaran
2. Faiyaj Mian S/o Sarajul Mian @ Serajul Mian R/o village- Bagahi (Bakuliya Tola), P.S.- Bairiya, Distt.- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

For the Opposite Party/s : Mr.Amitesh Kumar

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 21-01-2020 Heard the learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Bairiya P.S. Case No. 287 of 2019 for the offence registered under Sections 447, 147, 148, 149, 341, 323, 324, 326, 307, 504 and 506 of the Indian Penal Code.

The allegation is regarding the accused persons including the petitioners herein having assaulted the informant and his nephew. As far as the petitioners are concerned, they are said to have assaulted the nephew of the informant, namely, Sonu.

The learned counsel for the petitioners has submitted that the petitioners have been falsely implicated in the present case and they are having clean antecedents. It is further submitted that as far as the injuries on the person of Sonu are concerned,



they are simple in nature as would be borne out from Annexure-3 of the petition inasmuch as injury has been caused by hard substance and not by sword as has been alleged by the prosecution, hence apparently the FIR is concocted.

Having regard to the facts and circumstances of the case, considering the submissions of the learned counsel for the petitioners coupled with the fact that the petitioners are having clean antecedents and the injuries said to have been inflicted upon the nephew of the informant are simple in nature, I deem it fit and proper to admit the petitioners to the privilege of anticipatory bail.

Accordingly, the petitioners, above named, are directed to be released on anticipatory bail in the event of their arrest/surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Bairiya P.S. Case No. 287 of 2019 subject to the conditions as stipulated under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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