

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 10121 of 2020

Arising Out of PS. Case No.-599 Year-2016 Thana- SAHARSA District- Saharsa

1. MD. SAMSAD, Son of Md. Jahir,
2. Irsad @ Md. Irshad @ Md. Irsad, Son of Md. Jahir,
3. Kajal, Wife of Irsad @ Md. Irshad @ Md. Irsad,
4. Md. Jahir, Son of Late Samir,
All Residents of Village - Sulindabad, P.S.- Saharsa Sadar, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amarnath Jha

For the Opposite Party/s : Mr.Madan Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 03-03-2020 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 341, 323, 324, 307, 504, 379, 34 of the Indian Penal Code.

Allegation against the petitioners were assaulted the informant and his family members and also took away cash and golden ornaments.

Learned counsel for the petitioners submits that there is no specific allegation against the petitioner nos. 1, 3 and 4 and they have got no criminal antecedents. There is case and counter case and there is land dispute between the parties.

Learned APP has opposed the prayer for bail and submits that there is specific allegation against the petitioner no. 2 namely Irshad gave farsa blow over his left hand.



In the aforesaid facts and circumstances of the case, let the petitioner nos. 1, 3 and 4, above named, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bonds of Rs. 20,000/- (rupees twenty thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saharsa in connection with Saharsa Sadar P.S. Case No. 599 of 2016, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

In the aforesaid facts and circumstances, there is specific allegation against the petitioner no. 2, I am not inclined to enlarge the petitioner no. 2 on bail. Accordingly, the prayer for bail of the petitioner no. 2 is rejected in the aforesaid matter.

Accordingly, the application is dismissed.

However, petitioner no. 2 is directed to surrender before the learned court below and make prayer for bail, the learned court below shall dispose of the bail petition on the same day without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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