

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12405 of 2020

Arising Out of PS. Case No.-416 Year-2019 Thana- SURSAND District- Sitamarhi

1. Md. Ashique @ Md. Ashique Hussain Ansari Son of Md. Lal Resident of Village - Matauna, P.S.- Sursand, Distt - Sitamarhi.
2. Md. Jawed Ansari @ Md. Pappu Son of Md. Lal Resident of Village - Matauna, P.S.- Sursand, Distt - Sitamarhi.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Adv.
For the Opposite Party/s : Mr. Uday Chand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 03-07-2020 Heard learned counsel for the petitioners and learned counsel for the State via video conferencing.

The petitioners have filed the present application for grant of pre-arrest bail in connection with Sursand P.S. Case No. 416 of 2019 registered for the offence punishable under Sections 341, 323, 324, 308, 504 and 506/34 of the Indian Penal Code.

It is submitted by the learned counsel for the petitioners that the present case has been filed in retaliation to Sursand P.S. Case No. 417 of 2019 lodged by the petitioner no. 1 Md. Ashique Hussain Ansari against the informant and others for an offence under Sections 279, 337, 341, 379, 504 and 506 read with 34 of the Indian Penal Code. It is contended that



though the allegation against the petitioner no. 1 Md. Ashique @ Md. Ashique Hussain Ansari is that he inflicted a blow with sword, the injuries found on Md. Sariful Rahman and Kapil Sekh are simple caused by hard and blunt substance.

Learned counsel for the State has opposed the application for grant of pre-arrest bail to the petitioners.

Considering the facts and circumstances of the case as also that the injuries sustained by the informant and one another were found to be simple in nature caused by hard and blunt substance whereas the allegation is of inflicting injuries with sword, the petitioners, who are said to be men of clean antecedent, are directed to be released on bail, in the event of their arrest or surrender before the court below, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Sitamarhi in connection with Sursand P.S. Case No. 416 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Ashwani Kumar Singh, J)

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