

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11811 of 2020

Arising Out of PS. Case No.-194 Year-2019 Thana- SIDHWALIYA District- Gopalganj

1. Sarfullah Alam Son of Ismohammad Mian @ Isamahamad Miya Resident of Village - Vishunpura (Bisunpura), P.S.- Sidhwaliya, District - Gopalganj
2. Salma Bibi Wife of Ajim Mian @ Ajim Alam Resident of Village - Vishunpura (Bisunpura), P.S.- Sidhwaliya, District - Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lokesh Kumar Singh, Advocate

For the Opposite Party/s : Mr.Satyendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 25-08-2020 Heard learned counsel for the petitioners and learned
APP for the State through video conferencing.

The petitioners have filed the instant application for grant of anticipatory bail apprehending their arrest in connection with Sidhwaliya P.S. Case no. 194 of 2019 registered under sections 307, 341, 323, 324, 325 and 34 of the Indian Penal Code.

As per allegation in the FIR, it is stated that over a dispute between children, the three accused persons including the two petitioners herein who are neighbours of the informant, came and assaulted the son of the informant with a knife injuring him badly. It is further stated that the petitioner no. 1



assaulted the informant with a lathi on his head.

It is submitted by learned counsel for the petitioners that the allegation and the manner of occurrence as alleged in the FIR are false and incorrect. It is further submitted that the injury reports do not support the allegation as made in the FIR. Besides the nature of injury found on both the informant and her son to be simple, the injury on the informant's son which is allegedly caused by a knife, in the injury report is opined to be caused by a hard blunt object. The petitioners have no criminal antecedent.

The application for bail is opposed by learned counsel for the State.

The case diary which had been called for in the case has been received.

Having heard learned counsel for the parties and taking into consideration the submissions made on behalf of the petitioners, the nature of dispute, the nature of injuries which have been found to be simple and the petitioners having no criminal antecedent, the Court is inclined to enlarge the petitioners on anticipatory bail. The petitioners are directed to surrender in the Court below within a period of eight weeks from today and in the event of their arrest or surrender in



connection with Sidhwaliya P.S. Case no. 194 of 2019, they will be enlarged on bail on each of them furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate VIth , Gopalganj subject to the condition as laid down under section 438(2) of the Cr.P.C.

(Partha Sarthy, J)

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