

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)  
CRIMINAL MISCELLANEOUS No.17234 of 2020**

Arising Out of PS. Case No.-647 Year-2019 Thana- JAHANABAD District- Jehanabad

1. MD. SONU @ SONU @ RAJA Son of Haidar Rayeen @ Md. Haidar Resident of Muhalla - Jafarganj, P.S.- Jehanabad, Distt - Jehanabad.
2. Md. Chhotu @ Md. Chootu Son of Md. Iliyas Resident of Muhalla - Jafarganj, P.S.- Jehanabad, Distt - Jehanabad.
3. Md. Shamsheer Rayee Son of Late Md. Suleman Rayeen Resident of Muhalla - Jafarganj, P.S.- Jehanabad, Distt - Jehanabad.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Mr.Anil Kumar, Advocate

For the Opposite Party/s : Mr.Lalan Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD  
ORAL ORDER**

2      14-07-2020                      Heard learned counsel for the petitioners and  
learned A.P.P. for the State.

The petitioners, in the present case, are seeking anticipatory bail in connection with Jehanabad P.S. Case No. 647 of 2019 registered for the offences under Sections 147, 148, 149, 341, 323, 307, 504, 506 of the Indian Penal Code.

Learned counsel for the petitioners submits that as per the prosecution version while Md. Firoz who is the son of the informant was coming out from Maszid the petitioner no. 1 had assaulted him with Sword over his eyes, the petitioner no. 3 is said to have assaulted him with iron rod



whereas co-accused Saddam had assaulted him with Hockey Stick and other co-accused were also assaulting him, but on perusal of the injury report as contained in Annexure '4' in the present application it will appear that a lacerated wound of simple nature has been found on the left eyebrow of the informant, the allegation that all the accused persons were assaulting him is also not substantiated from the injury report and it is the further submission of learned counsel for the petitioners that there is a counter version of the case which would appear from the First Information Report lodged by father of petitioner no. 1 giving rise to Jehanabad P.S. Case No. 650/2019 (Annexure '2'). Learned counsel submits that from Annexure '5' which is another injury report it will appear that petitioner no. 1 has suffered lacerated wound on his right leg below knee and there was swelling on his body were caused by hard and blunt substance. It is thus the case of the petitioner that the informant's side have got indulged in the alleged scuffle and assaulted the petitioners' side. So far as petitioner no. 3 is concerned, he is said to be an Engineer posted in a Company at Noida and petitioner no. 2 is said to be a student of graduation. It is also submitted that these petitioners have got no criminal antecedent.



Learned A.P.P. for the State has though opposed the prayer for anticipatory bail of the petitioners.

Considering the facts and circumstances of the case, the fact that there is a counter case and the injury report at Annexure '5' shows that both the parties have allegedly got involved in some scuffle and simple injury was caused by each other and further that the petitioners have got no criminal antecedent, let the petitioners above named in the event of their arrest or surrender within a period of four weeks from today in connection with Jehanabad P.S. Case No. 647 of 2019 be released on bail on furnishing of bail bonds of Rs. 25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jehanabad, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police



officer;

(iii) a condition that the person shall not leave India  
without the previous permission of the Court.

**(Rajeev Ranjan Prasad, J)**

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

