

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14845 of 2020

Arising Out of PS. Case No.-282 Year-2019 Thana- PANCHRUKHI District- Siwan

1. Fahim @ Jhallu @ Fahim (Jhallu), aged about 18 years, Male, S/o Raish Mian, R/o village- Chap Tola Teghada, P.S.- Pachrukhi (Sarai O.P.), District- Siwan
2. Rehan Farukh @ Ofsar @ Rehan Fazal @ Rehan Faruk, aged about 30 years, Male, S/o Mainuddin @ Feku @ Mohiuddin Alam, R/o village- Aranda, P.S.- M.H. Nagar (Hasanpur), District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satyendra Rai, Advocate
For the Opposite Party/s : Mr.Shailendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 09-07-2020 Heard the parties through the virtual court proceeding.

The petitioners apprehend their arrest in connection with Pachrukhi (Sarai O.P.) P.S. Case No. 282 of 2019 registered for the offences punishable under Sections 341, 323, 324, 307, 504, 506/34 of the Indian Penal Code.

Prosecution case is to the effect that on the basis of written complaint of informant namely Khushbu Khatun alleging inter alia that the son of Raish Mian namely Md. Farhan @ Mallu sends dirty message on the mobile of informant's daughter and abuses. It is further alleged that for asking of the same, informant, her husband, her parents-in-laws and 8-10 distinguished people of village went to the door of



Raish Mian in the meanwhile on the order of Gudiya Khatun all accused Farhan @ Mallu armed with knife and Rehan Farukh armed with pistol. She further alleged that Rehan Farukh and Fahim caught hold the husband of the informant and Farhan with intention to kill the husband of the informant gave knife blow on his head and left hand causing grievous injury, he fell down on the earth, informant with the help of villager took him at Sadar Hospital, Siwan and from there he referred to P.M.C.H., Patna for better treatment.

Learned counsel for the petitioners submits that the petitioners have falsely been implicated in this case. The allegation against the petitioners is that caught hold the husband of the informant. There is no allegation of any overt act against the petitioners to anyone. He submits that the accused Farhan @ Mallu gave knife blow to the husband of the informant.

Learned A.P.P. for the State has opposed the prayer for bail and submits that the allegation against the petitioners is that they caught hold the husband of the informant. Thereafter, another co-accused Farhan @ Mallu gave knife blow to the husband of the informant.

In the facts and circumstances of the case, I am not inclined to enlarge the petitioners on bail. Accordingly, the



prayer for bail of the petitioners in connection with Pachrukhi
(Sarai O.P.) P.S. Case No.282 of 2019 is hereby rejected.
However, the petitioners are directed to surrender before the
court below and the learned court below shall dispose of the
case on the same day without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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