

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17839 of 2020

Arising Out of PS. Case No.-471 Year-2019 Thana- MANIHARI District- Katihar

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1. Md. Sagir S/o Md. Mansoor R/o-Pipertalla, Boulia, P.S.-Manihari (Balial Belon), District-Katihar.
 2. Md. Ansur S/o Sayebur R/o-Pipertalla, Boulia, P.S.-Manihari (Balial Belon), District-Katihar.
 3. Jahangir S/o Mansoor Ali R/o-Pipertalla, Boulia, P.S.-Manihari (Balial Belon), District-Katihar.
 4. Nasim S/o Mansoor Ali R/o-Pipertalla, Boulia, P.S.-Manihari (Balial Belon), District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Adv.

For the Opposite Party/s : Mr. Md. Iftekhar Mahmood, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 15-12-2020 Heard learned counsel for the petitioners and
learned APP for the State through video conferencing.

The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Manihari P.S. Case No.471 of 2019, registered under sections 307, 341, 323, 324 and 34 of the Indian Penal Code.

As per allegation in the F.I.R., the seven named accused persons including the four petitioners herein, are stated to have come variously armed, they beat up the son of the



informant with *lathi, danda* etc. and thereafter Md. Ayesh is stated to have stabbed the son of the informant in his stomach with a knife.

It is submitted by learned counsel for the petitioners that the allegations as narrated in the F.I.R. are false and concocted. They have been falsely implicated in the case. The injury report does not support the allegations as made in the F.I.R. and the main allegation is against Md. Ayesh. The petitioners have no criminal antecedent.

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

Case diary called for in the case as also the opinion of the doctor with respect to the injury on the son of the informant, have been received.

Having heard learned counsel for the parties and on going through the records of the case it transpires that only one incised wound has been found on the body of the son of the informant which is directly attributable to Md. Ayesh and not the petitioners herein. The doctor has opined the same to be simple in nature.

In the facts and circumstances of the case, the main allegation being against Md. Ayesh and not the petitioners



herein, this Court is inclined to enlarge the four petitioners on 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 Manihari P.S. Case No.471 of 2019, they will be enlarged on bail on furnishing bail bond of Rs 10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Katihar, subject to the conditions as laid down in section 438(2) of Criminal Procedure Code.

(Partha Sarthy, J)

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