

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27209 of 2020

Arising Out of PS. Case No.-433 Year-2019 Thana- PHULPARAS District- Madhubani

1. Md. Shamim Son of Md Yunus Resident of Village - Siswa Barhi, P.S. - Phulparas, District - Madhubani.
2. Md Daud Son of Nazir Miyan Resident of Village - Siswa Barhi, P.S. - Phulparas, District - Madhubani.
3. Md Zamahir Son of Md Razzak Resident of Village - Siswa Barhi, P.S. - Phulparas, District - Madhubani.
4. Md Lalu Son of Md Razzak Resident of Village - Siswa Barhi, P.S. - Phulparas, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Jha

For the Opposite Party/s : Mr.A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 21-10-2020 At the outset, learned counsel for the petitioners submits that he does not want to press the bail application of petitioner no. 1 namely Md. Shamim.

Accordingly, the bail application, so far as petitioner no. 1 Md. Shamim is concerned, stands dismissed as not pressed.

Heard the parties through video conferencing.

The petitioners (petitioner no. 2 to 4) apprehend their arrest in Phulparas P.S. Case No. 433 of 2019 registered for the offence under Sections 447, 448, 341, 323, 308, 379, 380, 504



and 354 of the Indian Penal Code.

As per the prosecution case, on 15-10-2019 at about 12 O'clock, these petitioners alongwith other co-accused entered into the courtyard of informant, armed with deadly weapons, and co-accused Md. Ashfaq assaulted with spade on the head of father-in-law of informant and when informant came to save her father-in-law, co-accused Sadrey Alam torn her clothes and co-accused Md. Shamim assaulted with iron rod on the leg of informant's father-in-law and broke his leg.

It is submitted on behalf of petitioners that there is case and counter case. It is further submitted that specific allegation of assault is against co-accused Md. Ashfaq and Md. Shamim. So far as these petitioners (petitioner no. 2 to 4) are concerned, no specific over act has been alleged against them. It is stated in paragraph – 3 of the petition that petitioners have no criminal antecedent.

Considering the aforesaid facts and circumstances and the fact that there is no specific allegation against these petitioners (petitioner no. 2 to 4), in the event of their arrest or surrender within a period of eight weeks from the date receipt/production of copy of this order, let the above-named petitioner no. 2 to 4 be enlarged on bail on furnishing bail bonds



of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate-2, Jhanjharpur, District - Madhubani, in connection with Phulparas P.S. Case No. 433 of 2019, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Singh, J.)

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