

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24901 of 2020

Arising Out of PS. Case No.-73 Year-2020 Thana- BARARI District- Katihar

1. MD. ISAUQUE @ MD. ISHA Son of Late Mohiuddin Resident of Village- Maulana Chouk, Guramela, P.S.- Barari, District- Katihar.
2. Md. Sawood @ Saud Alam Son of Md. Anisur Rahman @ Anisur Rahman Resident of Village- Maulana Chouk, Guramela, P.S.- Barari, District- Katihar.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Rajendra Prasad Sah

For the Opposite Party/s : Mr. C. Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 14-10-2020 Due to COVID-19 Pandemic, the matter is being taken up by way of Virtual Court proceeding.

The matter has been listed under the heading ‘For Orders’ under the orders of Hon’ble the Chief Justice.

Learned counsel for the petitioners is directed to remove the defects, as pointed out by the Office, within a period of four weeks from the date of restoration of normalcy.

Heard learned counsel for the petitioners and learned APP for the State.

The petitioners are apprehending their arrest in Barari P.S. Case No. 73 of 2020 registered under Sections 341, 323, 324, 325, 307, 379, 504 read with 34 of the Indian Penal Code.

The prosecution allegation, in short, is that while the



informant was at his sasural, the accused persons came and started assaulting him and family members due to which they sustained injury.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. There is a case and counter case between the parties. A free fight is alleged to have taken place.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R. There is specific allegation against the petitioner nos. 1 and 2 in respect of assaulting the victim. The injury has been discussed by the learned Sessions Judge in paragraph nos. 5 and 6 of its order dated 30.06.2020.

Considering the nature of allegation, I am not inclined to grant anticipatory bail to the petitioners. The prayer is rejected. If the petitioners surrender in the Court below and pray for regular bail, the same shall be considered on its own merit without being prejudiced by this order.

Pankaj/-

(Sudhir Singh, J)

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