

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83737 of 2019

Arising Out of PS. Case No.-126 Year-2019 Thana- MORKAHI District- Khagaria

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1. Md. Sarfaraj Alam @ Md. Sarfaraj Son of Md. Azahar Resident of Village - Marar Dakchhin, P.S.- Morkahi, District- Khagaria
 2. Md. Azahar Son of Late Hanish Resident of Village - Marar Dakchhin, P.S.- Morkahi, District- Khagaria. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Shekhar Kumar Singh
For the Opposite Party/s : Mr. Sanjay Kumar Singh

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 03-07-2020 Heard learned counsel for the parties.

This application for grant of anticipatory bail arises out of Morkahi P.S. Case No. 126 of 2019 registered for the offence punishable under Sections 448, 354(B), 341, 323, 307, 379 and 506/34 of the Indian Penal Code.

For the occurrence, which had taken place on 13.09.2019, the present case and a counter case were registered. Case diary has been called for, which is there on record.

On perusal of the First Information Report and the case diary, it transpires that the petitioners and the informant are neighbours. Petitioner No.1 is son of petitioner No.2. It is alleged that the accused persons, including these petitioners, assaulted the informant with butt of a 303 rifle, leading to serious injuries. They are said to have taken away some



valuables also.

On perusal of the case diary, I find that most of the injuries have been found to be simple in nature. It has been argued that the parties have resolved their dispute amicably.

Be that as it may, considering the nature of accusation, this application is accordingly allowed.

Let the petitioners above named, in the event of their arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Khagariya, in Morkahi P.S. Case No. 126 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the Police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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