

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4380 of 2021**

Arising Out of PS. Case No.-89 Year-2020 Thana- PRATAPGANJ District- Supaul

1. Md. Jakir @ Md. Jakir Safi @ Dukharan Safi aged about 58 years S/O Bhola Safi Resident Of Village-Bhawanipur, North, Ward No.2, P.S.- PRATAPGANJ, District-Supaul.
2. Md. Javed @ Md. Jawed aged about 30 years S/O Md. Jakir @ Md. Jakir Safi Resident Of Village-Bhawanipur, North, Ward No.2, P.S.- PRATAPGANJ, District-Supaul.

... .. Petitioners

Versus

The State Of Bihar

... Opposite Party

Appearance :

For the Petitioners : Mr.Sharda Nand Mishra, Advocate
For the Opposite Party : Mr.A.G.

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 22-03-2021 Heard learned counsel for the petitioners and the State.

Petitioners seek bail in a case registered for the offence punishable under sections 307/34 and other ancillary sections of the Indian Penal Code.

As per the prosecution case, when the informant was returning to his house, the petitioners assaulted him with dagger and sword as a result of which he received injury on his head, left shoulder and left hand. Petitioner no.2 also snatched Rs.5000/- from his pocket.

Learned counsel for the petitioners submits that the



present case is counter blast of Pratapganj Police Station Case No. 90 of 2020 lodged by the wife of petitioner no.1 against informant and others. It is further submitted that marpit took place between the parties due to quarrel between children of bode sides in which petitioner no.1 also received injuries. Petitioners are in custody since 28.6.2020. Charge sheet has already been submitted.

Considering the facts and circumstances of the case and the nature of allegation and the period of custody of the petitioners and there is a case and counter case in which both sides sustained injuries, let the petitioners, mentioned above, be enlarged 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 Sub Divisional Judicial Magistrate, Birpur, Supaul in Pratapganj Police Station Case No. 89 of 2020 on the following conditions:-

(1) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the



witnesses, in that case, the prosecution will be at liberty to move
for cancellation of bail.

(Prabhat Kumar Singh, J)

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