

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34877 of 2021

Arising Out of PS. Case No.-59 Year-2020 Thana- KEWATI District- Darbhanga

1. MD SHAHNAWAZ ALAM Son of Md. Saki Resident of Village - Jalwara, P.S.- Keoti, Distt.- Darbhanga.
2. MD AZMAT ALI SON OF LATE MD AKHTAR HUSSAIN Resident of Village - Jalwara, P.S.- Keoti, Distt.- Darbhanga.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Iqbal Asif Niazi
For the Opposite Party/s :	Mr. Raj Ballabh Singh
	Mr. Surendra Kumar Mishra

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 22-10-2021 Heard learned counsel for the petitioners, the State and the informant.

Petitioners seek regular bail in a case registered for the offence punishable under Section 324, 307 and some other ancillary Sections of the Indian Penal Code.

As per the prosecution case, on the alleged date and time of occurrence, all the FIR named accused persons, including these petitioners, armed with Farsa, sword Garasa, rod and Lathi came and abused the informant and upon protest petitioner No.1 is alleged to have inflicted Farsa blow on the head of informant and petitioner No.2 is alleged to have inflicted sword blow on the head of Md. Shahbaz Alam causing



bleeding injury.

Learned counsel appearing for the petitioners submits that there is case and counter case in which both sides sustained injuries. Petitioners are in custody since 17.02.2021 and investigation in this case is complete.

Learned counsel appearing for the State and the informant opposed the prayer for bail and submitted that altogether five persons sustained injuries and from injury report of the informant it appears that he also sustained grievous injury.

Considering the facts of the case, the period of custody of the petitioners and the fact that there is case and counter case in which both sides sustained injuries, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Smt. Smita Kumari, Judicial Magistrate, 1st class, Darbhanga in connection with Kewati PS case No. 59/2020 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 his/ her absence on two consecutive dates without sufficient



reason, his/her 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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