

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33290 of 2020

Arising Out of PS. Case No.-32 Year-2019 Thana- LODIPUR District- Bhagalpur

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1. MD. SADDAM, Son of Md. Shamat @ Md. Jashim @ Md. Tuntun, Resident of Village- Garhotiya, P.S.- Lodipur, District- Bhagalpur
 2. Md. Furkan, Son of Md. Shamat @ Md. Jashim @ Md. Tuntun, Resident of Village- Garhotiya, P.S.- Lodipur, District- Bhagalpur
 3. Md. Hassain @ Md. Hassain, Son of Md. Samat, Resident of Village- Garhotiya, P.S.- Lodipur, District- Bhagalpur ... Petitioners

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioners : Mr. Rajive Ranjan Singh, Adv.

For the Opposite Party : Mr. Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 08-03-2021 As prayed for, let the learned counsel for the petitioners remove the defect(s), as pointed out by the office vide it's note, dated 07.12.2020, within four weeks of starting of the Court proceeding in physical mode properly.

Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the state.

The petitioners seek pre-arrest bail in connection with Lodipur P.S. Case No. 32 of 2019 registered under Sections 341, 323, 504, 308, 342 and 34 of the Indian Penal Code.

The accusation is that in the evening of 22.02.2019, Md. Barais was playing the cricket with the boys of neighbouring village in which dispute arose in between children, due to that reason four persons named in the first



information report, including the petitioners, came at his house and started to abuse, when informant, Md. Jubrail, made protest, then, Md. Saddam (petitioner no. 1) started to cause assault through iron rod in which the wife of the informant, Naseema Khatoon, sustained injury at her head. Md. Furkan (petitioner no. 2) also caused injury through lathi to Sonu, son of the informant and brick batting also took place there.

Submission is that due to dispute in between the boys, in course of playing the cricket, occurrence of marpeet took place in which petitioners' side also sustained injuries, in which petitioner no. 1, Md. Saddam, has also sustained injury, regarding which Lodipur P.S. Case No. 33 of 2019 was also instituted on 22.02.2019 for offence under Sections 341, 323, 504, 308 and 34 of the Indian Penal Code on the basis of the fardbeyan of Md. Jaseem.

Having regard to the facts and circumstances of the case, let the petitioners, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Lodipur P.S. Case No. 32 of 2019 shall be released on bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Bhagalpur, or



the successor Court subject to the conditions as laid down under
Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

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