

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35847 of 2020

Arising Out of PS. Case No.-20 Year-2020 Thana- BASOPATTI District- Madhubani

1. MD. ISHRAFIL Son of Md. Taslim Resident of Village- Mahinathpur, P.S.- Basopatti, District-Madhubani.
2. Birju Kumar Das @ Birju Ku. Das @ Birju Das Son of Vijay Das Resident of Village- Mahinathpur, P.S.- Basopatti District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Prakash

For the Opposite Party/s : Mrs. Renu Kumari

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 05-04-2021 Heard both sides.

The petitioners apprehend their arrest in Basopatti P.S. case No. 20/2020 registered under Section 341, 323, 379, 504/34 of the IPC.

The gist of allegation against the petitioners is that on the eve of Sarswati Puja six persons including the two petitioners firstly threw smoke of cigarette on the face of informant and thereafter they assaulted the informant and snatched money from the possession of the informant.

The learned counsel for the petitioners submits that the occurrence is said to have taken place on 31.01.2020 but the FIR was lodged on 04.02.2020. All the offences are bailable



except Section 379 of the IPC. On account of some verbal altercation the informant lodged the case only after four days of the occurrence and there is no satisfactory explanation for lodging the case after such inordinate delay.

Taking into consideration the facts aforesaid and the nature of allegation made against the petitioners, the petitioners, above named, in the event of their arrest/ surrender before the court below within a period of four weeks from the date of receipt/ production of a copy of this order are directed to be enlarged on bail on their furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of Sri G. P. Gupta, learned Judicial Magistrate, 1st class, Madhubani in connection with Basopatti P.S. case No. 20/2020 subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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