

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.33354 of 2020

Arising Out of PS. Case No.-325 Year-2020 Thana- BHABHUA District- Kaimur (Bhabua)

1. IRFAN, S/o Najir R/o village- Datiyaon, P.S.- Bhabua, District- Kaimur at Bhabua, at present reside at village- Akhalaspur-Patiya, P.S.- Bhabua, District- Kaimur at Bhabua
2. Abhishek @ Abhishek Kumar, S/o Kameshwar Singh, R/o village- Nenusihra, P.S.- Chenari, District- Rohtas at Sasaram, at present reside at village- Akhalaspur-Patiya, P.S.- Bhabua, District- Kaimur at Bhabua

... Petitioners

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioners : Mr. Tribhuwan Narayan, Adv.

For the Opposite Party : Mr. Madhura Nand Jha, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 09-03-2021 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 Bhabua P.S. Case No. 325 of 2020, G.R. No. 1008 of 2020, registered under Sections 341, 342, 323, 379, 307 and 504/34 of the Indian Penal Code.

The accusation is that on 01.06.2020 at about 03.00 p.m., informant, Tinkal Sharma, along with Sonu Kinner, Soni Kinner, Manangu Kinner was going to the house of Sonu Kinner. In the way Irfan (petitioner no. 1), Mahboob and Tinku, having lathi and iron rod in their hands, stopped and started to abuse. When he made protest, then, all started to



cause assault in which he sustained injury. On hulla, Soni Kinner rushed to save him, then, Irfan laid on her ground and started to press neck, then, any how all fled away from there. In the meantime, Abhished (petitioner no. 2) came and caused injury to him and others through lathi.

Submission is that injuries as found on the person of the informant, Tinkle Sharma, and Sonu Kinner are simple in nature. Both the petitioners have no criminal antecedent.

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 Bhabua P.S. Case No. 325 of 2020, G.R. No. 1008 of 2020 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, Kaimur at Bhabhua, 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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