

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35935 of 2020

Arising Out of PS. Case No.-27 Year-2020 Thana- TARABARI District- Araria

1. MD. AZHAR, age 32 years, Male, S/o Late Ibrahim, Resident of Village-Jhauwa, Ward No.05, P.S.-Tarabari, District-Araria.
2. MD IRSHAD @ IRSHAD, age 35 years, Male, S/o Late Ibrahim, Resident of Village-Jhauwa, Ward No.05, P.S.-Tarabari, District-Araria.
3. MD. WASIM, age 28 years, Male, S/o Shamshad, Resident of Village-Jhauwa, Ward No.05, P.S.-Tarabari, District-Araria.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nafisuzzoha
For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 07-04-2021 Heard both sides through video conferencing.

The petitioners apprehend their arrest in Tarabari P.S. Case No.27 of 2020, registered under Sections 188, 269, 270, 341, 323, 324, 307, 379, 354, 504, 506 and 34 of the Indian Penal Code.

The informant alleged that his nephew, Khalikurrahman saw Md. Azhar fixing bamboo in his field to play volleyball. The nephew of the informant objected that during the period of lock down, there should be no gathering. On such, Md. Azhar assaulted and abused Khalikurrahman. At about 6.00 P.M. on the same day, all the accused persons came and assaulted Md. Azad with sword. The wife of the informant was also assaulted.

Learned counsel for the petitioners submits that some altercation took place. No injury is found on the person of Md.



Azad caused by sharp edged weapon, such as, sword. One scratch was found on the forehead of Md. Azad. It is further submitted that the wife of Md. Azad got no injury.

The learned Additional P.P. however, opposed the prayer for anticipatory bail of the petitioners.

It appears that the petitioners are alleged to have assaulted the informant and his wife, but from perusal of the injury report, it appears that superficial injury said to have been caused by hard and blunt substance was found on the person of the informant.

Taking into consideration the facts and nature of allegation made against the petitioners, the petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt of this order, be enlarged 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 learned A.C.J.M.-3, Araria in connection with Tarabari P.S. Case No.27 of 2020, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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