

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1937 of 2021

Arising Out of PS. Case No.-68 Year-2020 Thana- KEWATI District- Darbhanga

1. BARKAT ALI Son of Abdul Kauoom Resident of Village- Sarjapur, Bishanpur, P.S.- Keoti, Distt- Darbhanga.
2. MD. SHAKEEL @ SHAKEEL Son of Late Md. Idris Resident of Village- Sarjapur Bishanpur, P.S.- Keoti, Distt- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra, Advocate

For the Opposite Party/s : Mr. J.N. Thakur, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 08-07-2021 Heard learned counsel for the petitioners and learned
APP for the State through virtual mode.

Counsel for the petitioners is directed to remove the defect(s), as pointed out by the office, within a period of four weeks from the date of restoration of normalcy.

The petitioners are apprehending their arrest in a case registered under Sections 147, 148, 149, 341, 323, 324, 325, 307, 448, 506, 379 of the Indian Penal Code.

Allegation is that the petitioner No.1 assaulted Shahida Khatoon by means of iron rod on her head and petitioner No.2 assaulted Sagufa Parveen by means of farsa on her head, due to which they assaulted head injuries.



It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. It is a case and counter case between the parties. Free fight is alleged to have taken place. The date of occurrence is said to be on 14.06.2020 and the case was instituted on 21.06.2020. The delay has not been explained by the prosecution. The injuries on the side of the accused persons have not been explained by the prosecution. The prosecution has not come with clean hands.

On behalf of the State, it is submitted that the petitioners are named in the complaint case/F.I.R.

Considering the facts and circumstances of the case and also the lockdown, the petitioners, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on their personal bond to the satisfaction of learned Additional Chief Judicial Magistrate VII, Darbhanga in connection with Keoti P.S. case No.68 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.



Once the normalcy is restored, the petitioners will furnish bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of eight weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

Narendra/-

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