

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5318 of 2021

Arising Out of PS. Case No.-212 Year-2020 Thana- CHIRAIYA District- East Champaran

1. ABDUL RAHMAN S/o Tabaraque Alam @ Tabarak Alam R/o village- Sagardina, P.S.- Chiraiya, District- East Champaran
2. Sukhari Alam S/o Tabaraque Alam @ Tabarak Alam R/o village- Sagardina, P.S.- Chiraiya, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Roy
For the informant : Mr. Ajay Kumar Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 27-09-2021 Heard learned counsel for the petitioners and the State.

Learned counsel for the petitioners is directed to remove the defect(s), as pointed out by the office, within a period of eight weeks.

The petitioners are apprehending their arrest in Chiraiya P.S. Case No. 212 of 2020 registered for the offence under Sections 147, 149, 323, 324, 307, 504, 34 of the Indian Penal Code.

Allegedly, in the backdrop of petty feud, all the accused persons named in the FIR along with 50-60 unknown persons came and assaulted the informant. The petitioner No. 1 is alleged to have given knife blow on the left shoulder and Panjara as a result of which, he sustained injuries. One Nagesh Prasad who came to rescue the informant, was also assaulted by accused persons.



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 nature of injury is said to be simple. No offence u/S 307 of the Indian Penal Code is made out. At best, an offence under Section-324 of the Indian Penal Code is made out.

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

Considering the aforesaid facts and circumstances of the case, 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 furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IV, East Champaran at Dhaka in connection with Chiraiya P.S. Case No. 212 of 2020 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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