

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15471 of 2021

Arising Out of PS. Case No.-749 Year-2020 Thana- FORBESGANJ District- Araria

1. MD. NOORUL AMIN S/o Late Hefazuddin Resident of Village- Rampur Uttar, Ward No. -07, P.S.- Forbesganj, District- Araria.
2. Md. Iftekhhar S/o Md. Noorul Amin Resident of Village- Rampur Uttar, Ward No. -07, P.S.- Forbesganj, District- Araria.
3. Naiyar Alam S/o Md. Noorul Amin Resident of Village- Rampur Uttar, Ward No. -07, P.S.- Forbesganj, District- Araria.
4. Md. Alam @ Naiyar Raza @ Alimuddin S/o Late Nasir Resident of Village- Rampur Uttar, Ward No. -07, P.S.- Forbesganj, District- Araria.
5. Md. Taufique S/o Md. Alam Resident of Village- Rampur Uttar, Ward No. -07, P.S.- Forbesganj, District- Araria.
6. Md. Kalam @ Kalimuddin S/o Late Sukhai Resident of Village- Rampur Uttar, Ward No. -07, P.S.- Forbesganj, District- Araria.
7. Md. Nisar @ Nisar S/o Md. Kalam Resident of Village- Rampur Uttar, Ward No. -07, P.S.- Forbesganj, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh
For the Opposite Party/s : Mr. Yogendra Kumar

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 03-03-2022 The learned counsel for the petitioners is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard the learned counsel for the petitioners and learned APP for the State.

The petitioners apprehend their arrest for the offences alleged under Sections 448, 314, 323, 307, 354, 354-C,



379, and 385/34 of the Indian Penal Code, registered in connection with Forbesganj P.S. Case No. 749 of 2020.

As per the FIR, the accused persons entered into the courtyard of the informant and they began to search her husband. The allegation against petitioners nos. 1, 2 and 3 is that they assaulted the husband of the informant, who became unconscious. The allegation against the petitioner no.4 is that he assaulted the informant with sword.

The learned counsel for the petitioners has submitted that there is case and counter case and the case lodged on behalf of the petitioners' side being Forbesganj P.S. Case No 747 of 2020 is prior to the present case. The members of the petitioners' side have also sustained injuries.

There is specific allegation against petitioner nos. 1, 2 and 3 that they inflicted rod blow on the person of Md. Reyazuddin, the husband of the informant. Two grievous injuries, as per the injury report, are found on the person of Md. Reyazuddin. As such, the prayer for anticipatory bail on behalf of petitioner nos. 1, 2 and 3, namely Md. Noorul Amin, Md. Iftekhar and Naiyar Alam, respectively, is **rejected**.

So far as petitioner nos 5, 6 and 7 are concerned, the allegations against them are general and omnibus and so far as



the allegation against petitioner no.4 is concerned, there is allegation that he assaulted with sword on the head of the informant, but she has sustained simple injury.

Considering the above facts and circumstances, let the petitioner nos. 4, 5, 6 and 7 above-named, in the event of their arrest or surrender within four weeks from the date of communication of this order, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M. Araria in connection with Forbesganj P.S.Case No.749 of 2020, subject to the conditions as laid down under Section 438(2) Cr. P.C.

Office shall ensure that all defects are removed by the petitioners within the stipulated time provided hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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