

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13120 of 2021

Arising Out of PS. Case No.-174 Year-2020 Thana- BANMANKHI District- Purnia

MD. ISRAIL Son of Md. Yasin, Resident of Village - Makhanaha Harpur
Madi, Ward No. 10, P.S.- Banmankhi, District - Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 26050 of 2021

Arising Out of PS. Case No.-174 Year-2020 Thana- BANMANKHI District- Purnia

MD KARIM Son of Md. Siddique, Resident of Village - Makhanaha Harpur
Madi, Ward no.10, P.S.- Banmankhi, Distt.- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 13120 of 2021)

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s : Mr. Md. Shamimul Hoda
Mr. Surya Narayan yadav
Mr. Sunil Kumar Pandey

(In CRIMINAL MISCELLANEOUS No. 26050 of 2021)

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s : Mr. Shamshad Alam
Mr. Nawal Kishore Prasad

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

ORAL ORDER

3 22-02-2022 The learned counsel for the petitioners is directed to
remove all the defects pointed out by the office within one
month.

Heard the learned counsel for the petitioners and the
learned counsel for the informant as well as the learned counsel



for the informant.

The petitioners apprehend their arrest in connection with Banmankhi P.S. Case No. 174 of 2020 registered for offence punishable under sections 448, 341, 323, 324, 379, 354, 307/34 of the Indian Penal Code.

There is a specific allegation against Md. Israil that he inflicted *Farsa* blow on the head of Md. Abdul Kayum, the husband of the informant.

As per injury report, injuries found on the person of Md. Abdul Kayum are grievous. As such, **the petitioner Md. Israil** do not deserve the benefit of anticipatory bail and accordingly, **his prayer for anticipatory bail is rejected.**

So far as petitioner Md. Karim is concerned, although there is allegation that he, after sitting on the chest of Abdul Kayum, pressed his neck, but no corroborative injury was attributed against him. As such, his prayer for anticipatory bail is allowed.

Let the petitioner Md. Karim, in the event of his arrest or surrender, within four weeks from today, **be released on bail** on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Purnea in connection



with Banmankhi P.S. Case No. 174 of 2020, subject to condition 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 mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey , J)

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