

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18457 of 2021

Arising Out of PS. Case No.-264 Year-2020 Thana- NARPATGANJ District- Araria

1. WAKIF @ MD. WAKIF Son of Sayeed, Resident of Village- Pathraha, Ward No.-12, P.S.- Narpatganj (Ghurna O.P.), District- Araria.
2. Sharif Son of Sayeed, Resident of Village- Pathraha, Ward No.-12, P.S.- Narpatganj (Ghurna O.P.), District- Araria.
3. Sohrab Son of Sayeed, Resident of Village- Pathraha, Ward No.-12, P.S.- Narpatganj (Ghurna O.P.), District- Araria.
4. Abu Talha Son of Sayeed, Resident of Village- Pathraha, Ward No.-12, P.S.- Narpatganj (Ghurna O.P.), District- Araria.
5. Kaila Son of Late Sirajuddin, Resident of Village- Pathraha, Ward No.-12, P.S.- Narpatganj (Ghurna O.P.), District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramesh Kumar Singh
For the Opposite Party/s : Mr.Bishweshwar Ram

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

3 24-01-2022 Heard the learned counsel for the petitioners as well as the learned Additional Public Prosecutor for the State through video conferencing.

At the very outset, the learned counsel for the petitioners has submitted that during the pendency of this criminal miscellaneous petition, petitioner nos. 3 and 5 have been arrested, as such, this criminal miscellaneous petition has become infructuous with respect to them.

In view of above submission, this criminal



miscellaneous petition is **dismissed as infructuous** with respect to **petitioner nos. 3 and 5.**

So far as petitioner nos. **1, 2 and 4** are concerned, they apprehend their arrest in connection with Narpatganj (Ghurna) P.S. Case No. 264 of 2020 registered for offence punishable under sections 147, 148, 149, 341, 323, 325, 307, 354 (B) 338, 504 of the Indian Penal Code and section 27 of the Arms Act.

The learned counsel for the petitioners has submitted that no body sustained gun shot injury on their persons nor there is repetition of blow made by petitioners. He has also submitted that co-accused Nasiya Khatoon has lodged Narpatganj P.S. Case No. 263 of 2020 against the informant of this case.

The specific allegation against the petitioner no. 1 is that he inflicted iron rod on the head of the informant. The petitioner no. 2 assaulted Saukat, the cousin of the informant on his head by iron rod and petitioner no. 4 also assaulted Shamim by iron rod.

By filing supplementary affidavit it has been stated that all the above mentioned injured persons, i.e. the informant, Saukat and Shamim, have sustained injuries, which are simple in nature.



Considering the above mentioned facts and circumstances, **the petitioner nos. 1, 2 and 4**, in the event of their arrest or surrender, within four weeks from today, are directed to **be released on bail** on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Narpatganj (Ghurna) P.S. Case No. 264 of 2020, subject to condition as laid down under section 438(2) Cr. P.C.

(Nawneet Kumar Pandey , J)

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