

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4936 of 2022

Arising Out of PS. Case No.-555 Year-2021 Thana- KATIHAR NAGAR District- Katihar

1. MD RUSTAM Son of Md. Khalil Resident of Village - Rampara Ward No.23, P.S.- Katihar Town, Distt.- Katihar.
2. Md. Nazzo Son of Md. Khalil Resident of Village - Rampara Ward No.23, P.S.- Katihar Town, Distt.- Katihar.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yatindra Narayan, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 13-09-2022 Heard learned counsel for the petitioners and learned
APP for the State and perused the case diary.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 447, 341, 323, 308, 379, 427, 504 and 506/34 of the Indian Penal Code.

It is a case of assault upon the brother of the informant, namely, Ahrar Alam who sustained head injury which was inflicted by means of rod and during the said occurrence cash of Rs.5,000/- and gold chain were also looted by the accused persons.

It is submitted by learned counsel for the petitioners that the petitioners have falsely been implicated in this case. He



further submits that from perusal of the injury report, it appears that the doctor opined one injury to be grievous in nature which is not on vital part of the body. He next submits that the injury report is not in consonance with the assertion made in the FIR by the informant in respect of injury. He next submits that there is case and counter case between the parties. Petitioners have clean antecedent.

Learned APP appearing for the State has opposed the prayer for anticipatory bail.

Considering the aforesaid submissions, let the petitioners, above named in the event of their arrest or surrender before the court below within a period of four 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 CJM, Katihar in connection with Katihar Town P.S. Case No. 555 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

Brajesh Kumar/-

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