

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10795 of 2022

Arising Out of PS. Case No.-251 Year-2019 Thana- BIRAUL District- Darbhanga

1. MD. PEYARE @ MD. PAYARE @ MD. IRFAN SON OF LATE MD. LALO R/O VILLAGE- SUPAUL BAZAR, GACHHI TOLA (SHEKHPURA), P.S.- BIRAUL, DISTRICT- DARBHANGA
2. MEHDI @ MD. MAHMUD SON OF MD. SAMAD @ HIRA R/O VILLAGE- SUPAUL BAZAR, GACHHI TOLA (SHEKHPURA), P.S.- BIRAUL, DISTRICT- DARBHANGA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subhash Kumar Jha
For the Opposite Party/s : Mr.A.PP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 24-08-2022 Heard learned counsel for the petitioners and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Biraul P.S. Case no. 251 of 2019 instituted for the offence punishable under Sections 147, 148, 149, 341, 323, 384, 324, 379 and 504 of the Indian Penal Code.

As per allegation in the FIR, all the accused persons together caught the informant and threatened him and in the that course, the informant was hit by sword on his head, informant's brother was also brutally beaten. Thereafter, co-accused Md. Chand took away Rs. 5000/- from the informant and co-accused



Md. Parwez took away Rs. 2000/- from informant's brother. Informant has received a sharp cut injury.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. All the offences are bailable except Section 379 IPC. It has also been submitted that the petitioners have not caused any injury on the body of the informant or his brother. Merely on the basis of suspicion and due to dirty village politics, the petitioners have been falsely implicated in this case. They have got no criminal antecedent.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Biraul P.S. Case no. 251 of 2019, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM 2nd Biraul, Darbhanga subject to the conditions as laid down under section



438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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