

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29392 of 2021

Arising Out of PS. Case No.-259 Year-2020 Thana- ARARIA District- Araria

1. UMAR @ MD. UMAR S/O MOTI R/o village- Mirjabhag, P.S.- Araria, District- Araria
2. Gufran @ Md. Gufran S/o Moti R/o village- Mirjabhag, P.S.- Araria, District- Araria

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Mrigank Mauli, Sr. Advocate
		Mr. Sanjay Kumar Sharma, Advocate
For the Opposite Party/s	:	Mr. APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 26-04-2022 Heard Mr. Mrigank Mauli, learned Sr. Advocate for the petitioner no. 2 and the State.

The prayer for anticipatory bail of petitioner no. 2 was earlier permitted to be withdrawn *vide* order dated 02.09.2021 on account of his having been arrested during the pendency of this application.

The petitioner no. 1 seeks bail in anticipation of his arrest in connection with Araria P.S. Case No. 259 of 2020 dated 27.03.2020 instituted for the offences under Sections 341, 323, 324, 307, 354(B), 504, 506 and 34 of the Indian Penal Code.

The FIR has been lodged by one Md. Pravez Alam, who is the father-in-law of one of the accused persons *viz.*



Sufiyan in which it has been alleged that the accused persons were peeping in his house and on protest by him, he and all such persons who came to his rescue were assaulted.

So far as the petitioner no. 1 is concerned, he is said to have assaulted the informant on his hand. The corresponding injury which has been found on the person of the informant does not appear to be life threatening. In fact, the informant has pointed an accusing finger towards his own son-in-law. There appears to be something else in the background of the dispute than what meets the eye while reading the FIR.

The parties have jettisoned their differences and now the informant does not want to prosecute the petitioner no. 1 or any other accused persons any further.

Considering the afore-noted background facts, the petitioner no. 1 (Umar @ Md. Umar) is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Araria in connection with Araria P.S. Case No. 259 of 2020, subject to the conditions as laid down



under Section 438(2) Cr.P.C.

The petition stands disposed off accordingly.

(Ashutosh Kumar, J)

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