

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27968 of 2021

Arising Out of PS. Case No.-129 Year-2020 Thana- SIMRI District- Darbhanga

1. MD SALAUDDIN S/o Late Md. Mozib Resident of Village/ Mohalla-Shobhan, P.S.- Simri, Distt- Darbhanga.
2. MD SABA PRAVIN D/o Md Salauddin Resident of Village/ Mohalla-Shobhan, P.S.- Simri, Distt- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kedar Jha, Advocate

For the Opposite Party/s : Mr. Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 12-04-2022 Heard learned counsel for the petitioners and the State.

Learned counsel for the petitioners is directed to remove the defect(s), as pointed out by the office, within a period of four weeks.

The petitioners are apprehending their arrest in Simri P.S. Case No. 129 of 2020 registered for the offence under Sections 341, 323, 307, 354, 504, 506/34 of the Indian Penal Code.

Allegation against the petitioners is that they assaulted the informant and his son by means of farsa and iron rod repeatedly. Petitioner No. 2 is alleged to have outraged modesty of wife of the informant.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of



tampering of witnesses alleged against the petitioners. The petitioners have been falsely implicated in the present case. There is case and counter case between the parties. Free fight is alleged to have taken place between the parties. The injury on the side of the accused has not been explained by the prosecution. The prosecution has not come with clean hands. The case has been instituted after three days of the alleged occurrence. The delay in instituting the FIR has not been explained by the prosecution.

On behalf of the State, it is submitted that the petitioners are named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioners, above named, in the event of arrest or surrender before the learned court below within a period of twelve 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 Chief Judicial Magistrate, Darbhanga in connection with Simri P.S. Case No. 129 of 2020 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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