

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35010 of 2021

Arising Out of PS. Case No.-11 Year-2021 Thana- BENIPATTI District- Madhubani

1. MD. RIZVI @ TAFSHIR IMAM S/o Md. Burhan Resident of Village- Nazra, P.S.- Benipatti, District- Madhubani.
2. Ammar Orooz @ Sarik S/o Md. Orooz Ahamd Resident of Village- Nazra, P.S.- Benipatti, District- Madhubani.
3. Md. Ayatullah @ Md. Aamtulla Wahab S/o Late Zamil Akhatar Resident of Village- Nazra, P.S.- Benipatti, District- Madhubani.
4. Arshad Wahab S/o Late Md. Alam Resident of Village- Nazra, P.S.- Benipatti, District- Madhubani.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Shahnawaz Ali

For the Opposite Party/s : Mr.A.G

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 02-02-2022 Heard learned Counsel for the petitioners and

learned Additional Public Prosecutor for the State, through

Video Conferencing.

At the very outset, the learned counsel for the
petitioners seeks permission to withdraw this bail application, as
against petitioner No. 3, as he was arrested.

Permission is granted.

Accordingly, this bail application is dismissed as
withdrawn, as against petitioner No. 3.

So far as this anticipatory bail application as against



petitioner Nos. 1, 2 and 4 are concerned, it arises out of Benipatti Police Station Case No. 11 of 2021, disclosing offences under Sections 143, 341, 323, 324, 308, 427 and 504 of the Indian Penal Code.

The learned counsel for the petitioners has submitted that there is case and counter case and the persons of both the side have sustained injuries.

Learned Addl. P.P. has opposed and the prayer for bail.

There is specific allegation against petitioner No.2 is that he assaulted Md. Saud Akhtar with Fatta on his head. The doctors opined the injury on the person of Saud Akhtar as dangerous to life, as such, the petitioner No.2 does not deserve privilege of anticipatory bail. Accordingly, prayer for bail of **petitioner No.2 is hereby rejected.**

So far as petitioner Nos.1 and 4 are concerned, let the **petitioner Nos. 1 and 4**, named above, in the event of their arrest or surrender before the Court below within four weeks, be **released on bail** on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate,



Benipatti, Madhubani, in connection with Benipatti Police Station Case No. 11 of 2021, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Nawneet Kumar Pandey , J)

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