

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35179 of 2021

Arising Out of PS. Case No.-87 Year-2020 Thana- JANKINAGAR District- Purnia

1. MD.DILSHAD @ DILSHAD Son of Late- Md. Nayim Resident of Village- Ramjani, P.S.- Jankinagar, District- Purnea.
2. Md. Jiyaul @ Jiyabul Son o Md. Kamal Resident of Village- Ramjani, P.S.- Jankinagar, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Kumar Anand, Advocate

For the Opposite Party/s : Mr. Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 30-03-2022 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 Jankinagar P.S. Case No. 87 of 2020 registered for the offence under Sections 143, 341, 324, 307, 354, 379, 427, 504 and 506 of the Indian Penal Code.

Prosecution case in short is that the petitioner No. 1 gave sword blow on the head of Md. Shamim and thereafter, both petitioners with two others assaulted him by iron rod, as a result of which, he sustained injuries.

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. Title suit is also pending in the court below.

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, Purnea in connection with Jankinagar P.S. Case No. 87 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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