

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43440 of 2021

Arising Out of PS. Case No.-244 Year-2020 Thana- CHHATAPUR District- Supaul

1. MD. MINNAN @ MD. MANAN @ ABDUL MANNAN Son of Jainuddin Marhum, Resident of Village - Madhopur, Ward No. 03, P.S. - Chhatapur, Dist. - Supaul.
2. Md. Bakar Son of Md. - Minnan @ Md. Manan @ Abdul Mannan, Resident of Village - Madhopur, Ward No. 03, P.S. - Chhatapur, Dist. - Supaul.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Binod Kumar Sinha
For the Opposite Party/s :	Mr. Md. Mushtaque Alam

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

2 08-04-2022 The learned counsel for the petitioners is directed to remove all the defects pointed out by the office within one month.

Heard the learned counsel for the petitioners as well as the learned Additional Public Prosecutor for the State through video conferencing.

The petitioners apprehend their arrest in connection with Chhatapur P.S. Case No. 244 of 2020 registered for offence punishable under sections 147, 148, 323, 307, 325, 354(A), 379, 504 and 506 of the Indian Penal Code.

As per allegation, the eleven accused persons including the petitioners intercepted Md. Haris, the father of the informant. The petitioner no. 1 inflicted farsa blow on his head and petitioner



no. 2 inflicted rod blow on his hand resulting into fractured injury.

The learned counsel for the petitioners has submitted that there is case and counter case and petitioners' side have also sustained injuries for the same day occurrence. He has also submitted that as per injury report, injury no. 3 on the head of Md. Haris was found grievous, whereas other injuries are simple in nature.

Injury no. 3 of the informant's father is grievous, which is attributed against Md. Minnan @ Md. Manan @ Abdul Mannan, **petitioner no. 1**, as such, he does not deserve the privilege of anticipatory bail. Accordingly, his prayer for **bail is hereby rejected.**

So far as **petitioner no. 2 is concerned**, there is allegation that he assaulted Md. Haris on his hand, but this injury is simple in nature. As such, his prayer for anticipatory **bail is allowed.** Let **petitioner no. 2, Md. Bakar**, in the event of their arrest or surrender, within four weeks from today, **be released on bail** on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Supaul in connection with Chhatapur P.S. Case No.244 of 2020, subject to condition as laid down under section 438(2) Cr. P.C.

Office shall ensure that all defects are removed by the



petitioners within the stipulated time mentioned hereinabove,
failing which, the matter shall be brought to the notice of this
Court.

(Nawneet Kumar Pandey, J)

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