

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.37624 of 2022**

Arising Out of PS. Case No.-189 Year-2021 Thana- SAKURABAD District- Jehanabad

1. Afroz Alam Son Of Late Sadrudhin @ Late Sadruddin Resident Of Village-Kansua, Police Station- Sakurabad In The District Of Jehanabad
2. Yasir Ahmad @ Md. Ashir Mallick Son of Afroz Alam Resident of Village-Kansua, Police Station- Sakurabad in the district of Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Sunil Kumar

For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

2      01-12-2022                      Heard learned counsel for the petitioners and  
  
learned APP for the State.

The petitioners are apprehending their arrest in  
  
a case registered for the offences punishable under  
  
Sections 341, 323, 324, 307, 504/34 of the Indian  
  
Penal Code.

It is a case of assaulting due to which the  
  
informant's side sustained injuries. It is specifically  
  
alleged against petitioner No. 2 that he assaulted with  
  
sword on the neck of the son of the informant, as a  
  
result of which, he sustained cut injuries on his neck.



The other accused also assaulted him, as a result of which, he sustained several injuries on his body.

It is submitted by learned counsel for the petitioners that petitioners have falsely been implicated in this case. There is counter version of the occurrence also and petitioners' side also received injuries. A statement has been made in para 3 of the petition that petitioners have no criminal antecedent.

Considering the fact that there is direct allegation against petitioner No. 2 to have assaulted on the neck of the son of the informant by sword and the injury report also corroborates the fact, this Court is not inclined to grant privilege of anticipatory bail to petitioner No. 2 namely Yasir Ahmad @ Md. Ashir Mallick. The prayer for grant of anticipatory bail to petitioner No. 2 stands rejected.

So far as petitioner No. 1 is concerned, since there is no direct allegation against him and there being counter version of the occurrence, let the petitioner No.



1, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1<sup>st</sup> Class, Jehanabad in connection with Sakurabad P.S. Case No. 189 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

**(Sunil Kumar Panwar, J)**

Shageer/-

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