

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50147 of 2021

Arising Out of PS. Case No.-22 Year-2021 Thana- SHRI NAGAR District- Madhepura

1. Md. Naeem @ Md. Nayeemuddin S/O Late Jakeer @ Zakir R/O Village- Madni Nagar, Ward No. 04, Magarbara (Mangalbara), P.S.- Srinagar, District- Madhepura
2. Md. Sahnabaj @ Shahnawaj S/O Md. Naeem @ Md. Nayeemuddin R/O Village- Madni Nagar, Ward No. 04, Magarbara (Mangalbara), P.S.- Srinagar, District- Madhepura
3. Md. Sarfraz @ Md. Sarfraz Alam S/O Md. Naeem @ Md. Nayeemuddin R/O Village- Madni Nagar, Ward No. 04, Magarbara (Mangalbara), P.S.- Srinagar, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Ziaul Quamar

For the Opposite Party/s : Mr.Anil Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 29-04-2022 Learned counsel for the petitioners submits that the petitioner no. 1 has been arrested by the police, therefore, he seeks permission to withdraw this application with regard to petitioner no. 1.

Permission is granted.

Accordingly, this application is dismissed as withdrawn with regard to petitioner no. 1.

Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State for consideration of bail of rest of the petitioners.

Learned counsel for the petitioners undertakes to



remove the defects within three weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 341, 323, 307, 354(A), 504, 506/34 of the Indian Penal Code.

Petitioners are said to have abused and assaulted the informant and his daughter in law, resultantly, she received head injury.

It is submitted by learned counsel for the petitioners that petitioners are innocent and have been falsely implicated in this case. He submits that there is case and counter case between the parties and both sides have sustained grievous injury. He submits that the informant and petitioner no. 1 are own brother and due to scuffle the present case has been lodged. He submits that occurrence took place on 10.03.2021 but FIR was lodged on 13.03.2021 after delay of 3 days. He further submits that petitioners have no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposed the prayer for bail.

Considering the facts that both parties have



received grievous injury, the above named petitioner nos. 2 and 3 in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Srinagar P.S. Case No. 22 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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