

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1670 of 2021**

Arising Out of PS. Case No.-382 Year-2019 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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1. Md. Ayaz @ Ayaz @ Hitlar S/o Late Md. Jainul Avedin Resident of Vill.-
Laruara, P.S.- Muffasil, Distt.- Begusarai.
 2. Md. Sarfraz @ Ghulam Sarwar S/o Late Md. Jainul Avedin Resident of
Vill.- Laruara, P.S.- Muffasil, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam

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

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

4 17-01-2022 Heard learned counsel for the petitioners and

learned APP for the State.

Learned counsel for the petitioners is expected

to honour his undertaking given in the instant case for

depositing the requisite court fee and to remove the

defects as pointed out by the office when called upon to

do so by the office.

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. Subsequently Section 302 I.P.C was also added.

The prosecution case as per F.I.R is that all the accused persons including the petitioners came at the house of the informant. It is specifically alleged against petitioner No. 1 that he assaulted with sword on the head of the son of the informant. It is alleged against petitioner No. 2 that he assaulted to the husband of the informant with the back side of *dabia* on his head, as a result of which, he fell on the ground. Thereafter, co-accused Aamir Humsher assaulted with bricks on the chest of the husband of the informant. The husband of the informant was thereafter taken to the hospital who subsequently succumbed to the injuries during treatment.

It is submitted by learned counsel for the petitioners that in the background of some land dispute, the occurrence has taken place. There is counter version of the occurrence also. Moreover, for the occurrence of



19.07.2019, the F.I.R was registered on 25.07.2019.

Considering the fact that there is direct allegation against the petitioners to have assaulted the husband and son of the informant and the injury report of the son of the informant as well as postmortem report of the husband of the informant completely corroborate the prosecution version, this Court is not inclined to grant anticipatory bail to the petitioners.

The prayer for grant of anticipatory bail to the petitioners stands rejected.

(Sunil Kumar Panwar, J)

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