

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48780 of 2022

Arising Out of PS. Case No.-160 Year-2022 Thana- KRITYANAND NAGAR District-
Purnia

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1. Jiyaul Haque @ Md Jiyaul, aged about 35 years (Male), Son of Jalaluddin, Resident of Village - Banbhag, P.S.- K. Nagar, Distt.- Purnea.
 2. Md. Adil, aged about 50 years (Male), Son of Jalaluddin, Resident of Village - Banbhag, P.S.- K. Nagar, Distt.- Purnea.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Dr. Bidhu Ranjan, Advocate

For the Opposite Party : Mrs. Renu Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-12-2022 Heard learned counsel for the petitioners and learned
A.P.P. for 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 seek bail in connection with K. Nagar
P.S. Case No. 160 of 2022 registered for the offence under
Sections 341, 323, 324, 307, 448, 504 and 506/34 of the I.P.C.

The prosecution case, in brief, is that on 17.03.2022 at
10.00 A.M. the petitioners and others came with Dabiya,
Kulhari, Lathi-Danda and Farsa at the Darwaja of the informant
and assaulted the son of the informant and his family members.



Co-accused Md. Asad gave sword blow on the head of Aasan and co-accused Md. Ashraf assaulted his another son, namely, Md. Nazim, with axe, as a result of which, he sustained injury and Jiyaul Haque @ Md. Jiyaul (petitioner no. 1) gave farsa blow on the son of the informant, namely, Irshad, as a result of which, blood started oozing and they have given threat if any case is instituted.

It has been submitted on behalf of the petitioners that the petitioners are in custody since 21.05.2022. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners have falsely been 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. Injury of the accused side has not been explained by the prosecution. The prosecution has not come with clean hands.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioners, above-named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the



satisfaction of learned Chief Judicial Magistrate, Purnea, in
connection with K. Nagar P.S. Case No. 160 of 2022.

(Sudhir Singh, J)

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