

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10056 of 2021

Arising Out of PS. Case No.-261 Year-2020 Thana- SIWAN MUFFASIL District- Siwan

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1. Md. Nasim @ Nasim Akhtar, male, aged about 26 years, Son of Late Salim Miyan.
 2. Md. Sohail @ Sohail Akhtar, male, aged about 24 years, Son of Late Salim Miyan.
 3. Arman @ Arman Ali, male, aged about 19 years, Son of Jamirul.
 4. Rahman @ Rahman Ali, male, aged about 18 years, Son of Jamirul.
- All are R/o Village- Mirapur, P.S.- Siwan Muffasil, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Upendra Yadav, Adv.
For the State	:	Mr. Ram Priya Sharan Singh, APP
For the Informant	:	Mr. Shambhu Prasad Yadav, Adv.

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

3 31-03-2022 Heard Mr. Upendra Yadav, the learned counsel for the petitioners and Mr. Shambhu Prasad Yadav, the learned counsel for the Informant. The State is represented by Mr. Ram Priya Sharan Singh, the learned APP.

The petitioners seek bail in anticipation of their



arrest in connection with Siwan Muffasil P.S. Case No. 261 of 2020, dated 13.06.2020, instituted for the offences under Sections 341, 323, 324, 325, 307, 379, 354, 504, 506 and 34 of the Indian Penal Code.

The petitioners are, though, alleged to have participated in the affray, but only one person appears to have been injured. Most of the injuries suffered by him are simple in nature except for one, which is in the nature of a hair-line fracture on the bridge of the nose.

It has been submitted on behalf of the petitioners that there was a dispute with respect to flow of a drain crossing through the houses of the parties. It has, thus, been submitted that some occurrence might have taken place between the warring parties as a result of which one person accidentally has received injuries. But from the nature of injuries suffered by the victim, it does not appear to a case where any intention could be presumed with respect to causing life threatening injuries on the victim.

Considering this aspect of the matter, provisional bail was granted to the petitioners *vide* order dated



22.02.2022 and the case diary as well as the injury report of the victim was called for.

Nothing otherwise has been collected during the course of investigation and it has been confirmed from the injury report that the victim has received one hairline fracture on the bridge of his nose.

Considering this aspect of the matter, the provisional bail granted to the petitioners is, hereby, confirmed. They shall remain on the same bail bonds.

The application stands allowed and disposed off accordingly.

(Ashutosh Kumar, J)

Praveen-II/-

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