

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63734 of 2021

Arising Out of PS. Case No.-107 Year-2021 Thana- PIPRA District- Supaul

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1. MD. RIJWAN Son of Late Gulam Rasul @ Bechan Miya
 2. Md. Israel Son of Late Gulam Rasul @ Bechan Miya
- All are Resident of Village - Rampur Ward No.11, P.S.- Pipra, Distt.- Supaul.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjay Kumar Singh, Advocate
For the Opposite Party/s : Mr. Mohammad Sufyan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-07-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 324, 325, 307, 379, 354(B), 447, 504 and 506/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that petitioners are persons with clean antecedent.

The informant alleges that on account of dispute relating to throwing of stone on the marriage party by sons of Md. Nasir @ Kailu Miyan the present occurrence took place wherein it is alleged that Md. Israel assaulted Md. Yunus on his head by farsa causing injury and thereafter Md. Hasim also



assaulted him by lathi and when Md. Idris came to save the informant then Md. Rizwan assaulted on his head by Dabia thereafter Md. Jahid also assaulted Md. Idris by an iron rod causing injury on his hand. It is further alleged that Md. Ajij assaulted Md. Idris on his right leg causing fracture thereafter Sahida Khatoon came to save her husband when she was abused and assaulted by Md. Rizwan. It is alleged that Md. Israil even snatched Rs.50,000/- and mobile of Md. Hasim and it is also alleged that Rs.30,000/- was also snatched.

Learned counsel for the petitioners at the outset submits that the informant and the petitioners are agnates and the occurrence took place on a very trivial issue and the parties realizing their mistake, since a case also came to be instituted from the side of the petitioners, entered into a compromise as would be evident from Annexure-5 and 6 to the supplementary affidavit filed on behalf of the petitioners. Learned counsel, thus, submits that since the matter has been compromised and the parties are not willing to pursue the case, as such, rejection of the present anticipatory bail application would be an exercise in futile as parties will not support the case in trial.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.



Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.5,000/- (Rupees 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 Pipra P.S. Case No. 107 of 2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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