

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58318 of 2022

Arising Out of PS. Case No.-127 Year-2021 Thana- SHRI NAGAR District- Madhepura

1. MD. SIRAJ Son of Md. Halim @ Abdul Halim Resident of Village - Puraini, Ward No.- 14, P.S.- Shrinagar, District - Madhepura.
2. Md. Monazir @ Md. Munazir Son of Md. Halim @ Abdul Halim Resident of Village - Puraini, Ward No.- 14, P.S.- Shrinagar, District - Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subhash Kumar Jha, Advocate

For the Opposite Party/s : Mr. Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 14-11-2022 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, 323, 325, 385, 354, 379, 504, 307 and 34 of the Indian Penal Code

Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the informant alleges that on account of dispute relating to playing of Gulli Danda by son of informant, Md. Halib brutally assaulted his son and when his wife came to save the accused persons, petitioners along with other assaulted her by lathi, rod, kick and fist causing fracture of bone of the neck and even dragged her on the ground



causing injury all over her body including head injury and also snatched silver chain from the neck of the mother of the informant and Md. Halib tore the cloths and demanded extortion of Rs. 50,000/-.

Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case, it is next submitted that from bare perusal of the allegation as alleged in the FIR, it would manifest that on a trivial issue relating to playing of child, the present occurrence is alleged to have taken place, it is also submitted that the allegation of assault is general and omnibus in nature, it is further submitted that petitioners are not criminals and from perusal of Annexure-3, it would manifest that even the doctors who initially had opined the injury to be grievous, have opined that the injuries are simple in nature.

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 trial court within a period of six weeks from today, be released on anticipatory 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 the learned trial court where the case is pending/successor court in connection with Srinagar P.S. Case No. 127 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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