

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71445 of 2021

Arising Out of PS. Case No.-154 Year-2021 Thana- PIPRA District- East Champaran

1. MUSID SAI Son of Ajim Sai, Resident of Village - Muslim Tola, Chap, P.S.- Pipra, District - East Champaran
2. Jamaluddin Sai Son of Sakil Sai, Resident of Village - Muslim Tola, Chap, P.S.- Pipra, District - East Champaran
3. Meraj Sai @ Meraj Alam Son of Sakil Sai, Resident of Village - Muslim Tola, Chap, P.S.- Pipra, District - East Champaran
4. Ali Sher Sai Son of Sakil Sai, Resident of Village - Muslim Tola, Chap, P.S.- Pipra, District - East Champaran
5. Ibran Sai Son of Kalam Sai, Resident of Village - Muslim Tola, Chap, P.S.- Pipra, District - East Champaran
6. Kalam Sai Son of Islam Sai, Resident of Village - Muslim Tola, Chap, P.S.- Pipra, District - East Champaran
7. Manzur Sai Son of Farman Sai, Resident of Village - Muslim Tola, Chap, P.S.- Pipra, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms.Archana Sinha Mr. Sanjeev Kumar
For the Opposite Party/s	:	Mr.Md. Matloob Rab Mr. Abhishek Kumar Ms. Rashmi Jha Mr. Sharad Kumar Verma

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

2 29-07-2022 The learned counsel for the petitioners is directed to remove all the defects pointed out by the office within one month.

Heard the learned counsel for the petitioners as well as Mr. Shailendra Kumar, the Additional Public Prosecutor for the State.

At the outset, the learned counsel for the petitioners



seeks permission to withdraw this bail petition with respect to petitioner no. 7, Manzur Sai.

Permission is accorded and **this petition is dismissed as withdrawn with respect to petitioner no. 7.**

So far as petitioner nos. 1 to 6 are concerned, they apprehend their arrest in connection with Pipra P.S. Case No.154 of 2021 registered for offence punishable under sections 341, 323, 324, 325, 307, 447, 504/34 of the Indian Penal Code.

As per allegation, when the informant was preparing to offer namaz, the seven named accused persons came to his darbaja. They abused the informant side. The specific allegation against petitioner no. 1 is that he assaulted Sabrun Nisha, daughter-in-law of the informant on her head with iron rod. Petitioner no. 2 assaulted Tabrej on his head. Co-accused Azim assaulted the informant on her head. Co-accused Ali Sher assaulted Manauar with farsa. Co-accused Meraz assaulted Sanauar with iron rod resulted into fracture injury on his hand.

The learned counsel for the petitioners has submitted that there is case and counter case and so many persons of defense side have also sustained injuries. She has also submitted that the petitioners are the persons of clean antecedent.

On the other hand, the learned counsel for the informant has opposed the prayer for bail and submitted that there



is a specific allegation against petitioner no. 1 that he inflicted iron rod blows on the head of Sabrun Nisha, who sustained grievous injuries.

Considering the above-mentioned facts and circumstances, **the prayer for anticipatory bail with respect to petitioner no. 1 is rejected.**

So far as petitioner nos. 2 to 6 are concerned, their prayer for anticipatory bail is allowed.

Accordingly, **petitioner nos. 2 to 6**, in the event of their arrest or surrender, within four weeks from today, **are directed to be released on bail** on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran at Motihari in connection with Pipra P.S. Case No.154 of 2021, subject to condition as laid down under section 438(2) Cr. P.C.

Office shall ensure that all defects are removed by the petitioners within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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