

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72030 of 2021

Arising Out of PS. Case No.-435 Year-2021 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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1. Md. Ziya @ Ziyaul Rahman Son of Yusuf,
 2. Md. Maroof Son of Md. Bala @ Md. Mokhtar,
 3. Md. Anwar Son of Late Md. Yaseena,
- All are resident of Village - Singhaul Ward No.- 1, P.S.- Muffasil, Distt.- Begusarai

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Randhir Kumar No.1, Advocate
For the Opposite Party/s : Mr. Nagendra Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 08-06-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

Learned counsel for the petitioners is permitted to remove the defect(s), as pointed out by the office, if any, within a period of four weeks from today.

This is an application for grant of anticipatory bail in connection with Begusarai Muffasil P.S. Case No. 435 of 2021 registered for the offences punishable under Sections 143, 341, 323, 308, 354A, 379 and 504 of the Indian Penal Code.

Allegation against the petitioners is of assaulting the informant and other persons. It is alleged that petitioner nos. 1 and 2 hit sword blow on the head of the informant causing



injury to him and thereafter all the accused persons entered into the house of the informant and misbehaved and molested with the female members of the informant and petitioner no. 3 snatched the golden chain of the informant as well as jewellery of other female members of the informant. It is further alleged that all the accused persons also assaulted the brother of the informant and his family.

Learned counsel for the petitioners submits that the allegation of sword blow on the head of the informant is not corroborated by the medical report of the injury caused by the petitioner nos. 1 and 2 to the informant as same has been caused by hard and blunt substance. Learned counsel further submits that both the parties are neighbours, injuries might have been caused due to scuffle and offence under Section 308 of the I.P.C. is not made out and petitioners have no criminal antecedent. Lastly, learned counsel has submitted that although this case is not compoundable but both the parties have compromised the matter and resolved their dispute.

Learned A.P.P. for the State has opposed the prayer of anticipatory bail application of the petitioners.

Considering the aforesaid facts and circumstances that petitioners have no criminal antecedent, allegation of sword



blow is not corroborated by the medical report and both the parties are neighbour, let the petitioners, above named, in the event of their arrest/surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai in connection with Begusarai Muffasil P.S. Case No. 435 of 2021, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sunil Dutta Mishra, J)

ved/-

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