

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6264 of 2023

Arising Out of PS. Case No.-150 Year-2021 Thana- BIRPUR District- Supaul

1. Md. Jafir @ Shah Jafir Son Of Shah Noor Ishlam R/O Vill.- Parsa, Ward No. 10, P.S.- Birpur (BALUA Bazar), Distt.- Supaul
2. Babar @ Shah Babar Singh Son Of Shah Noor Ishlam R/O Vill.- Parsa, Ward No. 10, P.S.- Birpur (BALUA Bazar), Distt.- Supaul
3. Md. Shoeb @ Md. Shoyeb Son Of Late Shah Zabul R/O Vill.- Parsa, Ward No. 10, P.S.- Birpur (BALUA Bazar), Distt.- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Mishra

For the Opposite Party/s : Mr.Uday Pratap Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 13-04-2023 At the outset, counsel for petitioners seeks permission to make necessary correction in address portion of petitioners.

Permission is accorded. The necessary correction be done during course of the day.

Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners apprehend their arrest in a case, registered for the offences punishable under Sections 307, 323 and other allied sections of the Indian Penal Code.

As per the prosecution case, petitioner no. 3 assaulted the son of informant with *Farsa* and petitioner nos. 1 and 2 assaulted with iron rod on the head of informant.



It is submitted that that the injury attributed to petitioner no. 3 is simple in nature. The injuries attributed to petitioner nos. 1 and 2 are grievous in nature. As a matter of fact there was free fight between the parties in which persons from both sides injured. There is case and counter case.

Considering the facts aforesaid and nature of injury, the petitioner no. 3 above-named, in the event of his arrest/surrender before the court below within a period of six 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) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate Ist, Birpur, Supaul in connection with Birpur (Balua Bazar) P.S. Case No. 150 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

So far as the case of petitioner nos. 1 and 2 are concerned, the injuries attributed to these petitioners are grievous in nature, therefore, I am not inclined to enlarge the petitioner nos. 1 and 2 above-named on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

vinita/-

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