

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19587 of 2023

Arising Out of PS. Case No.-110 Year-2022 Thana- SURYAGARHA District- Lakhisarai

Ayaz Quraishi @ Md. Ayyaz, Son of Late Ansar Quraishi, Resident of village
- Mullachak, P.S.- Mauzahidpur, District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate

For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 14-06-2023 Heard Mr. Manoj Kumar, learned counsel appearing
on behalf of the petitioner and the learned APP for the State.

The petitioner apprehends his arrest in connection
with Suryagarha (Manikpur) P.S. Case No. 110 of 2022
registered for the offence punishable under Sections 341, 323,
448, 307, 379, 504 and 506/34 of the Indian Penal Code.

It is alleged that while the informant was present in
his house along with his family members, in the meantime, all
the FIR named accused persons and 3-4 unknown persons came
their and started abusing the informant and his family members.
On protest being made, the petitioner and one 'Riyaz Quraishi'
both of them assaulted the sons of the informant due to which
they sustained head injury. It is also alleged that co-accused
persons snatched valuables of the daughter of the informant.



Learned counsel appearing on behalf of the petitioner submits that both the parties are close relatives and there is a land dispute resulting into a free fight between the persons of both the sides. There is a counter version of the present case being Suryagarha (Manikpur) P.S. Case No. 109 of 2022, which is earlier on the point of time, the copy of which has been annexed as Annexure – 2 to the bail petition. He further submits that the injury sustained to both the sons of the informant have been found to be simple in nature caused by hard and blunt substances. He lastly submits that in fact the persons of the petitioner side have also sustained injury, however, the prosecution has failed to explain the injury sustained to them.

On the other hand, learned APP for the State vehemently opposes the pre-arrest bail application of the petitioner and submits that specific allegation has been levelled against the petitioner, who assaulted the sons of the informant.

Regard being had to the submissions made on behalf of the parties and considering the nature of injury and the counter version of the present case which is earlier on the point of time, coupled with the fair antecedent of the petitioner, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a



period of four weeks from today, on furnishing bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Lakhisarai in connection with Suryagarha (Manikpur) P.S. Case No. 110 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Harish Kumar, J)

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