

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35448 of 2023

Arising Out of PS. Case No.-134 Year-2022 Thana- RAHIKA District- Madhubani

Jiyaur Rahman Son Of Hasanjan Resident Of Village Kharauwa Police
Station Rahika District Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha, Adv.

For the Opposite Party/s : Mr. Shailendra Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 26-07-2023 Heard Mr. Shailendra Kumar Jha, learned counsel for
the petitioner and learned APP for the State.

2. The Petitioner is apprehending his arrest in connection with Rahika P.S. Case No.134 of 2022 corresponding to G.R. No.1123 of 2022, registered for the offences punishable under Sections 147, 149, 323, 341, 354, 379, 504, 506, 324, 325 of the Indian Penal Code.

3. It is alleged that on account of some trifling dispute, during plying of cycle by the informant's son, all the accused persons including the petitioner caught hold his son and on hulla when the villagers gather, in the meantime, this petitioner assaulted the son of the informant by means of iron rod over his head. It is also alleged that other accused persons also snatched the golden chain and assaulted other family



members by means of *danda* and iron rod.

4. Learned counsel appearing on behalf of the petitioner submits that in fact both the parties are agnates and on account of some family feud a scuffle took place, in which persons of both the side sustained injuries resulting into case and counter case. He further submits that nephew of the petitioner has lodged Rahika P.S. Case No.147 of 2022 against the informant and others. He further drew the attention of this Court to the impugned order and with reference thereto submitted that all the injuries are simple in nature caused by hard and blunt substance. He next submits that the petitioner is a man of fair antecedent and he undertakes that he will fully cooperate in the investigation and trial and will not indulged in any criminal activities in future.

5. On the other hand learned APP for the State vehemently opposes the bail application.

6. Regard being had to the submissions made on behalf of the parties and considering the nature of injury as reflected from the impugned order, coupled with the fair antecedent of the petitioner and the nature of dispute, 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 bond of Rs. 10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Madhubani in connection with Rahika P.S. Case No.134 of 2022 corresponding to G.R. No.1123 of 2022, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure with further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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