

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41044 of 2023

Arising Out of PS. Case No.-919 Year-2020 Thana- TURKAULIYA District- East
Champaran

-
1. IRSHAD HASAN @ MEHANDI HASAN @ SHEKH IRSHAD Son of Late Khalid Mian Resident of village - Mathwa, P.S. - Turkaulia, Distt. - East Champaran
 2. Taufik Hasan @ Taufik Mian Son of Irshad Hasan @ Mehendi Hasan @ Shekh Irshad Resident of village - Mathwa, P.S. - Turkaulia, Distt. - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate
For the Opposite Party/s : Mr. Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 04-08-2023 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 323, 341, 354(B), 379, 308, 504, 506 and 34 of the Indian Penal Code.

3. Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and are *agnates* of the informant and on account of dispute relating to fixing of bamboo on land, an altercation took place in which it is alleged that the petitioners along with others came and assaulted the informant, it is next submitted that on account of altercation



both sides assaulted each other and it is alleged that petitioner no. 1 assaulted the informant with butt of the pistol causing injury on head, thereafter, petitioner no. 2 assaulted Nasim Akhtar with rod causing injury on his back, abdomen and head.

4. Learned counsel for the petitioners submits that on account of a trivial dispute, the occurrence is alleged to have taken place in which it is alleged that petitioners assaulted. It is next submitted that injury was caused on both sides.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Tarkauliya P.S. Case No. 919 of 2020 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. However, the learned Trial Court before accepting the bail bonds of the petitioners shall verify the injury report of



the injured and in the event if it is found that informant and Nasim Akhtar have suffered grievous injury on head, then the present anticipatory bail order shall not be given effect to.

8. However, it is made clear that the petitioner no. 1 is alleged to have assaulted the informant and petitioner no. 2 is alleged to have assaulted Nasim Akhtar.

(Satyavrat Verma, J)

Rishabh/-

U		T	
---	--	---	--

