

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47882 of 2023

Arising Out of PS. Case No.-60 Year-2021 Thana- KAMTAUL District- Darbhanga

1. MD. SULTAN @ SULTAN Son of Md. Idris R/o village - Bagha, P.S.- Kamtaul, Dist.- Darbhanga.
2. MD. JUNAID Son of MD.IDRIS R/o village - Bagha, P.S.- Kamtaul, Dist.- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Baidya Nath Prasad, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 12-09-2023 Heard the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable u/s 147, 148, 341, 324, 354, 307, 504, 506 of the IPC.

3. As per the prosecution case, the F.I.R. named accused persons including the petitioners surrounded the informant and on the order of one Md. Idris, petitioner no.1 gave Dabiya blow on the head of the informant and petitioner no.2 gave a knife blow upon the neck of the informant.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case due to



ulterior motive. No such occurrence, in the manner as alleged, has ever taken place. Earlier the injury was found grievous in nature but a complaint was filed by the petitioner before the Medical Board for re-examination, thereafter, the injury was found simple in nature, which is mentioned in para-54 of the case diary and complaint is mentioned in para-43 of the case diary. Petitioners have no criminal antecedent.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, since the injuries are simple in nature, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Kamtaul P.S. Case No.60 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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