

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56204 of 2023

Arising Out of PS. Case No.-12 Year-2023 Thana- KUCHILA District- Kaimur (Bhabua)

1. Afasar Miya Son of Ibrahim Miya Resident of Village - Mukharaw , P.S. - Kuchhila, District - Kaimur At Bhabua
2. Akhatar Miya Son of Ibrahim Miya Resident of Village - Mukharaw , P.S. - Kuchhila, District - Kaimur At Bhabua
3. Kaushar Miya Son of Ibrahim Miya Resident of Village - Mukharaw , P.S. - Kuchhila, District - Kaimur At Bhabua
4. Imtiyaj Miya Son of Ibrahim Miya Resident of Village - Mukharaw , P.S. - Kuchhila, District - Kaimur At Bhabua
5. Afsana Daughter of Ibrahim Miya Resident of Village - Mukharaw , P.S. - Kuchhila, District - Kaimur At Bhabua
6. Rabana Daughter of Ibrahim Miya Resident of Village - Mukharaw , P.S. - Kuchhila, District - Kaimur At Bhabua
7. Ibrahim Miya Son of Late Rasul Miya Resident of Village - Mukharaw , P.S. - Kuchhila, District - Kaimur At Bhabua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Tribhuwan Narayan, Advocate
For the Opposite Party/s	:	Dr. Mrityunjaya Kr. Gautam, A.P.P.
For the Informant	:	Mr. Jagjit Roshan, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 30-08-2023 Heard learned counsel for the petitioners, informant and the State.

2. Petitioners apprehend arrest in a case registered for the offences punishable under Sections 341, 323, 324, 325, 307, 379, 427/34 of the Indian Penal Code.

3. As per prosecution case, when informant was at his plot, all the accused persons set fire on his hut. On protest by the son of the informant, all the accused persons brutally assaulted



him. It is alleged that petitioner Nos. 1 and 2 assaulted the son of the informant with knife causing grievous injury.

4. It is submitted that the allegation against petitioner Nos. 3 to 7 are general and omnibus. Specific allegation of causing grievous injuries is against petitioner Nos. 1 and 2. Petitioners have got clean antecedent.

5. Learned counsel for the informant vehemently opposes the bail application.

6. Considering the grievous nature of injury, **the anticipatory bail with regard to petitioner Nos. 1 and 2 is rejected.** However, **the anticipatory bail with regard to petitioner Nos. 3 to 7 is allowed** and it is ordered that let the above named petitioner Nos. 3 to 7 in the event of their arrest/surrender before the court below within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Sub-Divisional Judicial Magistrate, Kaimur at Bhabua in connection with Kuchhila P. S. Case No. 12 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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