

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69653 of 2022

Arising Out of PS. Case No.-228 Year-2022 Thana- RAJNAGAR District- Madhubani

1. Md. Yunus @ Md. Yunus Momin, Son of Late Hanif, R/o Village- Narayanpatti, P.S.- Rajnagar, District- Madhubani.
2. Md. Ramjani, Son of Late Sukha Miyan, R/o Village- Narayanpatti, P.S.- Rajnagar, District- Madhubani.
3. Md. Moti Salam, Son of Late Md. Jahir, R/o Village- Narayanpatti, P.S.- Rajnagar, District- Madhubani.
4. Md. Kaijum, Son of Md. Islam, R/o Village- Narayanpatti, P.S.- Rajnagar, District- Madhubani.
5. Md. Mohebul @ Motebul, Son of Late Md. Jahir, R/o Village- Narayanpatti, P.S.- Rajnagar, District- Madhubani.
6. Safo Khatoon @ Safina Khatoon, Wife of Md. Ramjani, R/o Village- Narayanpatti, P.S.- Rajnagar, District- Madhubani.
7. Md. Riyaz, Son of Md. Mostkim, R/o Village- Narayanpatti, P.S.- Rajnagar, District- Madhubani.
8. Md. Salamat, Son of Late Md. Idrish, R/o Village- Narayanpatti, P.S.- Rajnagar, District- Madhubani.
9. Md. Imtiyaz, Son of Md. Mustakim, R/o Village- Narayanpatti, P.S.- Rajnagar, District- Madhubani.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Miss Kusum Rani, Advocate
For the Opposite Party/s : Mr. Rajendra Nath Jha, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 21-04-2023 Heard learned counsel appearing on behalf of the

petitioners and learned Additional Public Prosecutor appearing

on behalf of the State.

The petitioners apprehend their arrest in connection

with Rajnagar P.S. Case No. 228 of 2022 registered for the

offences punishable under Sections 143, 341, 323, 324, 307,



448, 380, 509, 504 and 506 of the Indian Penal Code (in short 'I.P.C.').

The above named accused/petitioners are named in the F.I.R.

The allegation as per F.I.R against above named petitioners is to assault informant and others by using deadly weapons like sword, *farsa*, etc., causing bodily injuries, having intention to cause their death, where occurrence is founded over installations of street light.

It is pointed out by learned counsel that the alleged occurrence appears free-fight in nature, where both parties sustained injuries and for the same set of occurrence, petitioner's side also lodged a case which is registered as Rajnagar P.S. Case No.261 of 2022, arraying informant and others as accused thereof. It is further submitted that injury report of all six injured persons running from page No.19 to 24 of bail petition as Annexure-2, shows that the nature of injuries are simple and found over non-vital parts of the body of the injured, which is sufficient to suggest that the alleged injuries are not sufficient to cause death in ordinary course of nature to reflect the intention of petitioners as to cause death of informant and others.



While concluding argument, it is submitted that similarly situated co-accused, namely, Md. Sohail @ Md. Sohail Ansari has already granted anticipatory bail by one of the learned Co-ordinate Bench of this Court vide order dated 23.03.2023 passed in Criminal Miscellaneous No.71754 of 2022.

Learned APP opposed the prayer for grant of bail.

Considering the aforesaid facts and circumstances and by taking note of nature of occurrence and injuries received, let all above named petitioners, in the event of their arrest or surrender within a period of four weeks, are directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-I, Madhubani/concerned Court, where the case is pending in connection with Rajnagar P.S. Case No.228 of 2022, subject to conditions as laid down under Section 438(2) of the Cr.P.C.

(Chandra Shekhar Jha, J)

veena/
saurabhkrsinha/-

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