

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73086 of 2023

Arising Out of PS. Case No.-79 Year-2023 Thana- MORKAHI District- Khagaria

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1. Md Zakir Hussain @ Zakir Hussain Son Of Late Fahimuddin R/O Village- Rasauk, Ward No. 03, P.S.- Morkahi, Dist.- Khagaria
 2. Md Guddu @ Samsher Son Of Late Fahimuddin R/O Village- Rasauk, Ward No. 03, P.S.- Morkahi, Dist.- Khagaria

... .. Petitioner/s

Versus

The State Of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dinesh Maharaj, Advocate
For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 23-11-2023 Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

3. The Petitioners are apprehending their arrest in connection with Morkahi P.S. Case No. 79 of 2023 dated 02.07.2023 registered for the offences punishable under Sections 341, 323, 324, 326, 307/34 of the Indian Penal Code.

4. As per the prosecution case, the petitioner no. 1



Md. Zakir Hussian started abusing the informant . On being objected, both the petitioners started assaulting the informant and caught hold of the informant and the petitioner no. 2 stabbed in the stomach of the informant causing injury

5. Learned counsel for the petitioner has submitted that the petitioners are innocent and have falsely been implicated in this case. Both the parties are neighbours and a scuffle took place between the family members of both the parties. The injury sustained by the injured, is simple in nature. The petitioners have clean antecedent.

6. Learned A.P.P for the State has opposed the prayer for anticipatory bail of the petitioner

7. Considering the aforesaid facts and circumstances of the case as well as the injury being simple in nature, let the above named petitioners, in the event of their arrest/ surrender within six weeks from the date of receipt of this order to the court concerned, be released on anticipatory bail on furnishing bail bonds of Rs 20,000/- (twenty thousand) each with two sureties of the like amount each to the satisfaction of the Learned Judicial Magistrate, Khagaria in Morkahi P.S. Case No. 79 of 2023 subject to condition as laid down under Section 438(2) of the Cr.P.C with further conditions;-



8. “ The petitioners are directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled”.

N.K/- **(Chandra Prakash Singh, J)**

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