

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16033 of 2024

Arising Out of PS. Case No.-260 Year-2023 Thana- MANIHARI District- Katihar

1. Sk. Sukhu @ Sukku @ Sekh sukhu Son of Late Subhan R/o Manihari, P.S.-
Manihari, Distt.- Katihar
2. Sk. Najir @ Nazir @ Sekh Najir Son of Late Subhan R/o Manihari, P.S.-
Manihari, Distt.- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Advocate Mr.Sanjeev Kumar Singh, Advocate Ms. Neha Rani, Advocate
For the State	:	Mr.Pramod Kumar Pandey. APP
For the Informant	:	Mr. Bimal Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 03-05-2024 Heard learned counsel for the petitioners; learned
A.P.P. for the State and learned counsel for the informant.

2. After some arguments, learned counsel for the
petitioners submits that he wants to withdraw the application on
behalf of petitioner no. 2, namely, SK. Najir @ Nasir @ Sekh
Najir. The same is dismissed as withdrawn. Now the application
is restricted to petitioner no. 1, namely, Sk. Sukhu @ Sukku @
Sekh Sukhu only.



3. The petitioners no. 1 apprehends arrest in connection with Manihari P.S. Case No. 260 of 2023 instituted under Sections 341, 323, 307, 379, 324, 504 and 506/34 of the Indian Penal Code.

4. The petitioner no. 1 is said to have assaulted the informant/victim. In the FIR, it is said that there was no injury but one simple injury has been found upon the victim.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner no. 1.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner no. 1, Sk. Sukhu @ Sukku @ Sekh Sukhu, be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Katihar in connection with Manihari P.S. Case No. 260 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

6. However, if the petitioner no. 2, namely, Sk. Najir @ Nazir @ Sekh Najir surrenders before the Court below and seeks regular bail, the Court shall pass the order on merits, in



accordance with law, without being influenced by the present
order.

(Sandeep Kumar, J)

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