

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23583 of 2024

Arising Out of PS. Case No.-210 Year-2023 Thana- SIKTI District- Araria

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1. Md. Jakir Son of Md. Kalmo @ Kalimuddin
 2. Md. Shamshad Son of Late Miyajul
 3. Md. Mujahir Son of Md. Ismauliya
- Petitioner/s
- Versus
- The State of Bihar
- Opposite Party/s
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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana, Advocate
For the Opposite Party/s : Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 01-05-2024 1. Heard learned counsel for the petitioners as well as learned APP for the State.
2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 147, 149, 341, 323, 324, 307, 504, 506, 354 and 379 of the Indian Penal Code.
3. The learned counsel for the petitioners submit that petitioners are persons with clean antecedent and have been falsely implicated in the instant case by the informant.
4. It is next submitted petitioner no.1 and 2 are alleged to have assaulted Majjo Masomat while petitioner no.3 is alleged to have assaulted Md. Saddam. It is further submitted that Md. Saddam received simple injury which amply



demonstrates that petitioner no.3 never had any intention of committing a serious occurrence. It is next submitted that petitioner no.1 and 2 are alleged to have assaulted Majjo Mosomat, but then from order impugned it would manifest that the same does not record about the injury suffered by her i.e. whether injury was simple or grievous.

5. The learned APP opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on provisional anticipatory bail on their furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-divisional Judicial Magistrate, Araria in connection with Sikty P.S. Case No.210 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. However, it is made clear that the learned trial court before accepting the bail bonds of the petitioners shall verify the injury report of the injured and in the event if it is found that the injury suffered by the injured alleged to have



been assaulted by petitioner no.1 and 2 received grievous injury, in that event, the provisional anticipatory bail bonds of the petitioner no.1 and 2 shall be cancelled, further if the injury suffered by Saddam is grievous in that event, the provisional anticipatory bail bonds of the petitioner no.3 shall also be cancelled, but if the injury suffered by the injured is simple in nature, in that event the provisional anticipatory bail bonds shall be confirmed on the same terms and conditions.

8. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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