

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46257 of 2024

Arising Out of PS. Case No.-77 Year-2024 Thana- GOGRI District- Khagaria

1. Asfak @ Md. Ashfaq @ Asfaq Son of Md. Ataullah Resident of Vill- Gogari Fakrana, Ward No.13, P.S.- Gogari, District- Khagaria
2. Md. Hasim Son of Md. Ataullah Resident of Vill- Gogari Fakrana, Ward No.13, P.S.- Gogari, District- Khagaria
3. Md. Sahlam @ Md. Shah Alam Son of Md. Ataullah Resident of Vill- Gogari Fakrana, Ward No.13, P.S.- Gogari, District- Khagaria
4. Md. Aklakh @ Md Aklakhque Son of Md. Ataullah Resident of Vill- Gogari Fakrana, Ward No.13, P.S.- Gogari, District- Khagaria
5. Md. Maksud @ Md. Maqsud Son of Md. Ataullah Resident of Vill- Gogari Fakrana, Ward No.13, P.S.- Gogari, District- Khagaria
6. Md. Parvej @ Md. Pravej Son of Md. Taso Resident of Vill- Gogari Fakrana, Ward No.13, P.S.- Gogari, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Krishna Prabhat, Advocate
For the State	:	Mr. Ashok Kumar Singh, A.P.P.
For the Informant	:	Mr. Ranjeet Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 11-09-2024 Heard learned counsel for the petitioners, informant and the State.

2. Petitioners apprehend arrest in a case registered for the offences punishable under Sections 147, 323, 324, 307, 379, 337, 504 of the Indian Penal Code.

3. As per prosecution case, these petitioners assaulted informant and his brother with *lathi* and iron rod.

4. Learned counsel appearing for the petitioners



submits that from perusal of the F.I.R. it is apparent that informant is not an eye witness of the occurrence. He next submits that due to petty dispute between the parties, an altercation took place for which there is case and counter case. F.I.R. has been lodged after inordinate delay of four days and there is no explanation for the same. Petitioners claim clean antecedent.

5. Learned counsel for the informant opposed the bail application and submitted that injury caused to the brother of informant by petitioner Nos. 1 and 3 are grievous in nature.

6. In view of the fact that petitioner Nos. 1 and 3 caused grievous injury, **prayer for anticipatory bail of petitioner No. 1, namely, Asfak @ Md. Ashfaq @ Asfaq and petitioner No. 3, namely, Md. Sahlam @ Md. Shah Alam is refused.**

7. However, considering the facts and circumstances of the case, the **anticipatory bail with regard to petitioner Nos. 2, 4, 5 & 6 is allowed** and it is ordered that the above named petitioner Nos. 2, 4, 5 & 6 in the event of their arrest/surrender before the court below within a period of eight 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 Chief Judicial Magistrate,
Khagaria in connection with Gogari P. S. Case No. 77 of 2024,
subject to condition as laid down under Section 438(2) of the
Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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