

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47383 of 2024

Arising Out of PS. Case No.-150 Year-2024 Thana- SAKRA District- Muzaffarpur

1. Md. Irfan @ Mikal S/o Md. Shamin R/o vill - Sakra Faridpur, P.S. - Sakra, Distt. - Muzaffarpur
2. Md. Aftab @ Md. Altatab @ Md. Guddu S/o Md. Habib R/o vill - Sakra Faridpur, P.S. - Sakra, Distt. - Muzaffarpur
3. Md. Jamil @ Md. Laddu S/o Md. Habib R/o vill - Sakra Faridpur, P.S. - Sakra, Distt. - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate
For the Opposite Party/s : Mr. Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 19-08-2024

1. Heard learned counsel for the parties.

2. The petitioners in this application pray for grant of anticipatory bail apprehending their arrest in connection with Sakra P.S. Case no.150 of 2024 registered for the offence punishable under sections 307, 341, 323, 324 and 34 of the Indian Penal Code.

3. As per allegation in the F.I.R, the informant states that while his son was sitting at the godown next to his house, Md. Irfan, Md. Guddu, Md. Laddu and two other persons came there. It is further stated that on point of pistol they stabbed the son of the informant as a result of which he fell



down injured. The informant further states that after having stabbed, the knife was rotated a number of times. On information having been received by the villagers, it is stated that the accused persons escaped.

4. Learned counsel for the petitioners submits that though the petitioners are named in the FIR, they have been falsely implicated in the case because of village politics and the parties being on litigating terms. The victim is in close association with criminals and the manner of injury is other than what has been described in the FIR. It is submitted that the case diary be called for as it is not evident as to whether the injury caused was grievous or simple. The informant is admittedly not an eye witness to the occurrence. The petitioners have no criminal antecedent.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation in the F.I.R. wherein it is stated that the son of the informant was stabbed, the knife rotated in the body and the occurrence having been supported by the witnesses whose statements have been recorded in different paragraphs of the case diary as is evident



from the order of the learned trial Court, the Court is not inclined to enlarge the petitioners on bail and the application is rejected.

7. The petitioners are directed to surrender in the learned trial Court within a period of four weeks.

(Partha Sarthy, J)

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