

Arising Out of PS. Case No.-1144 Year-2023 Thana- SAHARSA COMPLAINT CASE
District- Saharsa

- Petitioner/s

Versus

1. The State of Bihar
2. Samina Khatun W/o Md. Rahamatullah R/o vill - Mahua ward no. 1, P.S. - Dahrar, Distt. - Saharsa

... .. Opposite Party/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 22-11-2024 1. Heard learned counsel for the petitioners and the
learned APP for the State.

2. The petitioners apprehend their arrest in connection with Complaint Case No. 1144 of 2023 registered for the offence(s) punishable under Section(s) 341, 323, 325, 308 read with Section 34 of the Indian Penal Code.



3. The main submissions advanced by the learned counsel for the petitioners are that the instant matter relates to a free fight in which persons of both the sides sustained injuries and on the petitioner's side three persons sustained injuries out of them one Md. Najrul Islam sustained grievous injury and other one injured, Bilkis Bano, sustained an injury over her head while on the complainant's side two persons sustained injury namely, Samina Khatun and Shahjadi Khatun though two injuries of Samina Khatun were opined to be grievous in nature but the same were found on her non-vital part of the body and similarly the injury of Shahjadi Khatun was also found on non-vital part of her body and further in the instant matter ten persons including the petitioners have been named by filing a complaint and one co-accused Md. Najrul @ Najrul carrying similar allegation has been granted anticipatory bail by this court vide order dated 18.09.2024 passed in Cr. Misc. No 61195 of 2024 and the case of the petitioners stands on similar footing with him. It is further submitted that the petitioners have fair and clean antecedent.

4. Learned APP appearing for the State has opposed the bail prayer of the petitioners.

5. Having considered the above submissions



particularly the petitioners’ plea as to free fight having taken place in between both the parties in which persons of both the sides sustained injuries and the petitioners have fair and clean antecedent and one co-accused carrying similar nature of allegation has already been granted the relief of anticipatory bail, in my opinion, it is a fit case for anticipatory bail to the petitioners. Accordingly, let the petitioners named-above, in the event of their arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail in connection with Complaint Case No. 1144 of 2023 on furnishing bail bond of Rs. 20,000/-(Twenty Thousand) each with two sureties of the like amount each to the satisfaction of the Court concerned, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Shailendra Singh, J)

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