

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63160 of 2023

Arising Out of PS. Case No.-34 Year-2023 Thana- BISHUNPUR District- Darbhanga

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1. Md. Noor Azam @ Md. Arman Son Of Md. Hira Khan @ Hira Khan Resident Of Village-Baghla Karimaganj, P.S.-Bishanpur, District-Darbhangha.
 2. Md. Irfan @ Md. Irfan Khan Son Of Hira Khan @ Md. Hira Khan Resident Of Village-Baghla Karimaganj, P.S.-Bishanpur, District-Darbhangha.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Girish Chandra Jha, Advocate
For the State	:	Mrs. Asha Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 27-02-2024 Heard Mr. Girish Chandra Jha, learned counsel for the petitioners and Mrs. Asha Kumari, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Bishanpur P.S. Case No. 34 of 2023, F.I.R. dated 07.05.2023 for the offences punishable under Sections 341, 323, 325, 354(B), 308, 379 and 34 of the Indian Penal Code.

3. According to prosecution case, petitioners along with other co-accused persons are said to have assaulted the informant and his family members.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been



implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioners have not committed any offences as alleged in the F.I.R. He further submits that there is case and counter case between the parties and due to some dispute the present occurrence has taken place.

5. The learned Additional Public Prosecutor for the State, on the other hand, on the basis of material available on record and case diary has vehemently opposed the prayer for bail of the petitioners and submits that the bare perusal of the injury report of the informant and allegation as alleged in the FIR is supported by the medical evidence and the injury of the informant is grievous in nature which reads as follows;

NCCT Head:- City Hospital, ID No. 434, Date
07.05.2023

Fracture in anterior and lateral wall of left

maxillary sinus with associated jemosinus

Fracture in lateral wall of left orbit

Fracture in left zygomatic arch.

Type of Injury- Grievous

Type of Weapon- Hard Blunt Substance

Time since injury- Within 6 hours.

6. Considering the allegation as alleged in the F.I.R



and the material available on record, I am not inclined to grant the privilege of anticipatory bail to the petitioners in connection with Bishanpur P.S. Case No. 34 of 2023 pending in the court of A.C.J.M. IX, Darbhanga.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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