

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68771 of 2024

Arising Out of PS. Case No.-143 Year-2024 Thana- MADHEPURA District- Madhepura

1. Md. Rahmat S/o- Md. Badrul @ Badrul Miyan, Resident of Mohalla-Bhirkhi, Ward No- 25, PS and District- Madhepura
2. Md. Tajlum @ Md. Tajmul Son of Md. Badrul @ Badrul Miyan Resident of Mohalla- Bhirkhi, Ward No- 25, PS and District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Barun Kumar Singh, Advocate
For the Opposite Party/s : Ms. Indu Kumari Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 17-12-2024 Heard Mr. Barun Kumar Singh, learned counsel for the petitioners and Ms. Indu Kumari Srivastava, learned APP for the State.

2. The petitioners apprehend their arrest in connection with Madhepura P.S. Case No. 143 of 2024 dated 17.02.2024 registered for the offences punishable under Sections 341, 324, 307 and 379/34 of the Indian Penal Code.

3. The main submissions advanced by the learned counsel for the petitioners are that the prosecution story narrated in the F.I.R. is totally false, in fact on 15.02.2024, the informant Md. Rizwan entered into the house of the petitioners and tried to outrage the modesty of the female member of the petitioners and the informant was caught red handed regarding which



Madhepura P.S. Case No. 170 of 2024 was registered and as per the prosecution story, the informant was assaulted by knife but the said allegation is not specific against the petitioners. Further, co-accused Md. Ajmat is alleged to have inflicted knife blow at the informant but in view of the nature of injury found on person of the informant, the said allegation is also completely false as only one injury being lacerated wound was found. It is further submitted that both the petitioners have fair and clean antecedent and there is case and counter case in between both the parties.

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

5. Considering the aforesaid submissions advanced by the learned counsel for the petitioners and mainly the fair and clean antecedent of the petitioners and also the fact that as per the injury report of the informant, only one lacerated wound over upper lip of the informant in the size of 4x2x1cm has been found and the same has been opined to be caused by hard and blunt object while as per the allegation, the informant was assaulted by using knife, in my opinion, it is a fit case to grant the relief of anticipatory bail to the petitioners. Accordingly, let the petitioners named-above, in the event of their arrest or



surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 20,000/-(Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of the Court concerned in connection with Madhepura P.S. Case No. 143 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Shailendra Singh, J)

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