

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71966 of 2023

Arising Out of PS. Case No.-48 Year-2023 Thana- NARPATGANJ District- Araria

1. Md. Khurshid @ Bechan Son Of Sk. Khalil R/O Village- Pathraha Ward No.05, P.S.- Narpatganj (GHURNA), District- Araria
2. Md. Inzaar Son Of Sk. Khalil R/O Village- Pathraha Ward No.05, P.S.- Narpatganj (GHURNA), District- Araria
3. Md. Rabban Son Of Sk. Khalil R/O Village- Pathraha Ward No.05, P.S.- Narpatganj (GHURNA), District- Araria
4. Md. Afsar Son Of Md. Khurshid @ Bechan R/O Village- Pathraha Ward No.05, P.S.- Narpatganj (GHURNA), District- Araria
5. Md. Insaar Son Of Md. Khurshid @ Bechan R/O Village- Pathraha Ward No.05, P.S.- Narpatganj (GHURNA), District- Araria
6. Md. Istekhar Son Of Md. Khurshid @ Bechan R/O Village- Pathraha Ward No.05, P.S.- Narpatganj (GHURNA), District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana, Advocate
For the Opposite Party/s : Mr. Amitesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

4 27-02-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with
Narpatganj (Ghurna) P.S. Case No. 48 of 2023, dated
26.01.2023, instituted for the offence punishable under Sections
147, 148, 149, 341, 323, 324, 307, 302 of the Indian Penal
Code.

3. The prosecution case, in short, is that, when the



informant's father went forward to stop the fight of the petitioners with some other person, he became grievously injured and eventually died during the course of treatment.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. It is further submitted that the specific allegation of assault of informant's father is against co-accused namely, Md. Lalo and Md. Khurshid (petitioner no. 1), who are said to have assaulted the father of the informant on chest by stone/bolder due to which he died during the course of treatment. Learned counsel further submitted that from perusal of post-mortem report, it appears that no any external injury is seen on the body of the deceased at the time of post-mortem examination. It is further submitted that the allegation of assault is against petitioner no. 2 namely, Md. Inzaar and petitioner no. 4 namely, Md. Afsar but from the perusal of the case diary and there is no injury report available in the case diary, it seems that there is no injury against anyone. Learned counsel further submitted that allegation against petitioner nos. 3, 5 and 6 is general and omnibus in nature. Lastly, it has been submitted that the petitioners have no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for bail of



the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Narpatganj (Ghurna) P.S. Case No. 48 of 2023, they shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Araria, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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