

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80892 of 2023

Arising Out of PS. Case No.-727 Year-2022 Thana- MADHEPURA District- Madhepura

1. Md. Mazloom Son of Sokar @ Md. Sakoor, Resident of Village- Kamalpur, Ward No. 4, P.S. Madhepura (Ghailarh O.P.), District- Madhepura.
2. Md. Shamad @ Md. Sahmad Son of Md. Jahir Resident Of Village- Tulapatti, Ward No. 6, P.S. And District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nafisuzzoha, Advocate

For the Opposite Party/s : Mr. Nirmal Kumar Sinha, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 10-01-2024 Heard Mr. Nafisuzzoha, learned counsel appearing on behalf of the petitioners and Mr. Nirmal Kumar Sinha, learned APP for the State.

2. Petitioners seek pre-arrest bail in connection with Madhepura (Ghailarh O.P.) P.S. Case No.727 of 2022 dated 01.08.2022, registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 379, 307, 354(A) and 504 of the Indian Penal Code.

3. As per the allegation made in the FIR, the petitioners along with other 11 accused persons named in the FIR assaulted the informant and his brother. Specific allegation against the petitioner no.1 is that he had assaulted on the head of

the informant and general and omnibus allegation has been made against the petitioner no. 2.

4. Learned counsel appearing on behalf of the petitioners submitted that so far as the allegation against petitioner no.1 is concerned, it has been alleged that the petitioner no.1 has assaulted with *Dabiya* on the head of the informant, however, injury is simple in nature and there is no repeated blow. He further submitted that so far as petitioner no.2 is concerned, he has given a *lathi* blow on the cheek of the brother of the informant, however, injury is simple in nature.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioners.

6. Having considered the rival submissions made on behalf of the parties, as well as, considering the nature of allegation made in the FIR, the petitioners are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the learned court below within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Madhepura/concerned court in connection with Madhepura (Ghailarh O.P.) P.S. Case No.727 of 2022, subject to conditions

as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J.)

Ashishsingh/-
Chn/-

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