

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81006 of 2024

Arising Out of PS. Case No.-167 Year-2024 Thana- KASBA District- Purnia

1.

Md. Danish @ Nishar Son of Naushad Resident of village- Bhamra PS
-Kasba District -Purnea
2.

Md. Sajjad @ Sajjad son of Late Saleh Resident of village- Bhamra PS
-Kasba District -Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Praveen Kumar Agrawal
For the Opposite Party/s :	Mr.Anuj Kumar Shrivastava

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

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04-12-2024

Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Kasba P.S. Case No. 167 of 2024 dated 22.07.2024 instituted for the offence punishable under Sections 127(2), 115(2), 351(2), 117(2), 110, 303(2) and 305 of the B.N.S.

3. As per the prosecution case, the allegation against petitioner No. 1 is that he assaulted the informant by sword and severely injured the head and neck of the informant. Petitioner No. 2, namely, Md. Sajjad assaulted on the face of Sadik by using an iron rod.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have has been falsely



implicated in this case. He further submits that the occurrence took place on 17.07.2024 but the present FIR has been lodged on 22.07.2024 after lapse of six days without giving sufficient cause of delay. He further submits that for the same occurrence, the mother of petitioner No. 1, namely, Sahin Khatoon has lodged a case against the informant and his family members. The mother of petitioner No. 1 stated that she and petitioner No. 1 sustained injuries which was caused by accused person in Kasba P.S. Case No. 166 of 2024. It is also submitted that both the sides are neighbour. From perusal of the impugned order, it reveals that Md. Saadik has received head injury caused by hard and blunt substance and victim Md. Shahabuddin has received a grievous injury. Lastly, it is submitted that the petitioners have no criminal antecedent as stated in paragraph 3 of the petition.

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

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioners be released on 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, Purnea in connection with Kasba P.S. Case No. 167



of 2024, subject to condition as laid down under Section 438(2)
of the Cr.P.C.

(Khatim Reza, J)

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