

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3162 of 2024

Arising Out of PS. Case No.-78 Year-2023 Thana- DANDKHORA District- Katihar

1. Sk. Sajimuddin Son Of Sk. Domai Resident Of Village- Bhamraili P.S. Dand Khora, District- Katihar
2. Sk. Putala @ Sk. Samsuddin S/O Resident Of Village- Bhamraili P.S. Dand Khora, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghvendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 31-01-2024 Learned counsel for the petitioners seeks permission to delete the Section 3/4 D.P. Act mentioned in Para 1 and 5 of the application in course of the day.

2. Permission is accorded.

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

4. The petitioners apprehend arrest in connection with Dand Kohra P.S. Case No. 78 of 2023 dated 01.08.2023, instituted for the offence punishable under Sections 307, 323, 341, 354, 379, 504, 506/34 of the Indian Penal Code.

5. The prosecution case, in short, is that on 27.07.2023, the petitioner along with other persons entered into



the house of the informant and abused him. When the informant's wife protested then peititoner Sk. Putula caught her hair and threw down and Sk. Sajimuddin assaulted her. It is also alleged that Sk. Putula torn her cloth. It is further alleged that Sk. Sajimuddin assaulted the informant with iron rod and he has sustained injury on his head.

6. Learned counsel for the petitioners submits that petitioners are innocent and has been falsely implicated in this case. It is submitted that there is case and counter case between the parties Dandkhora P.S. Case No. 79 of 2023 has been lodged by one of the co-accused against the informant's side. Both parties are agnates and closed neighbours. It is submitted that the injury sustained by the informant and others are simple in nature. Lastly, it has been submitted that petitioners have no criminal antecedent.

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

8. 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 petitioners in connection with Dand Kohra P.S. Case No. 78 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, Katihar, subject to the condition as laid down under Section 482(2) of the Cr.P.C.

(Khatim Reza, J)

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