

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89079 of 2024

Arising Out of PS. Case No.-244 Year-2024 Thana- MOHANIYA District- Kaimur (Bhabua)

- 1 . Sakil Miyan @ Sakil Ansari Son of Mumtaz Miyan Resident of Village - Dadar, P.S. - Mohania, District - Kaimur at Bhabua
2. Raju Miyan @ Jail Ansari Son of Aslam Miyan Resident of Village - Dadar, P.S. - Mohania, District - Kaimur at Bhabua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Advocate

For the Opposite Party/s : Mr. Mohammed Arif , APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 21-01-2025 Heard learned counsel for the petitioners and the State .

2. Petitioners apprehend their arrest in a case registered for the offence punishable under sections 341 , 323 , 325 , 307, 379, 504, 506 and 34 of the Indian Penal Code .

3 . As per F.I.R., on the alleged date and time of occurrence , when the informant was taking rest after having meal in Barat, in the meantime , these petitioners along with other co-accused persons started abusing him and thereafter petitioner No. 2 hit over his head with iron rod and petitioner No. 1 hit over his right eye due to which informant sustained injury .



4. It is submitted on behalf of the petitioners that the petitioners are innocent and has falsely been implicated in this case . As a matter of fact, in the marriage ceremony , a quarrel took place between both parties in which informant sustained minor injuries. F.I.R. has been lodged after the inordinate delay of two days for which there is no plausible explanation . Injury allegedly caused by petitioner No. 2 is simple in nature . Petitioners claim clean antecedent.

5 . Learned counsel for the State opposed the bail petition and submitted that injury caused by petitioner No. 1 is grievous in nature .

6. Considering the fact that injury caused by petitioner No. 1 is grievous in nature , his prayer for pre – arrest bail is rejected.

7. Considering the aforesaid facts, clean antecedent of petitioner No. 2 and circumstances of the case, in the event of arrest or surrender within eight weeks from today, let the petitioner No. 2, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM I Mohania Kaimur at Bhabua in connection with Mohania P.S. Case No. 244 of 2024 , subject to the conditions



laid down under section 438(2) of the Code of Criminal
Procedure .

(Prabhat Kumar Singh, J)

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