
(2021) 05 PAT CK 0001

Patna High Court

Case No: Criminal Miscellaneous No. 34661 Of 2020

Md. Abid And Ors

APPELLANT

Vs

State Of Bihar

RESPONDENT

Date of Decision: May 3, 2021

Acts Referred:

Indian Penal Code, 1860 " Section 34, 307, 323, 324, 341, 354B, 379, 447, 504, 506#Code
Of Criminal Procedure, 1973 " Section 438(2)

Citation: (2021) 05 PAT CK 0001

Hon'ble Judges: Ahsanuddin Amanullah, J

Bench: Single Bench

Advocate: Mukesh Kumar Rana, Atul Chandra

Final Decision: Disposed Of

Judgement

1. The matter has been heard via video conferencing.

2. Heard Mr. Mukesh Kumar Rana, learned counsel for the petitioners and Mr. Atul Chandra, learned Additional Public Prosecutor (hereinafter

referred to as the "APP" for the State.

3. The petitioners apprehend arrest in connection with Raniganj PS Case No. 260 of 2020 dated 28.05.2020, instituted under Sections 341, 323, 324,

307, 354-B, 379, 447, 504, 506/34 of the Indian Penal Code.

4. The allegation against the petitioners is of general assault on the informant, his wife and brother and specifically against co-accused, Bibi Arhsadi,

that she gave two sword blows on the head of the informant and that she snatched silver chain worth Rs.2500/- from his wife and that the petitioner

no. 1 tore the clothes of the informant's wife.

5. Learned counsel for the petitioners submitted that the petitioner no. 1 is the full brother of the informant and there is property dispute. It was

submitted that the FIR has been lodged after six days of the incident and there is also counter case for the same incident lodged by the petitioner no.

1. It was submitted that the petitioner's side had also received injuries. Learned counsel submitted that besides the allegation being general in

nature against the petitioners, they have no criminal antecedent.

6. Learned APP submitted that the petitioners had also assaulted the informant's wife and brother.

7. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender

before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs. 25,000/- (twenty five

thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, VI, Araria, in Raniganj

PS Case No. 260 of 2020, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973, and further (i) that one of the

bailors shall be a close relative of the petitioners, (ii) that the petitioners and the bailors shall execute bond and give undertaking with regard to good

behaviour of the petitioners, and (iii) that they shall cooperate with the Court and the police/prosecution. Any violation of the terms and conditions of

the bonds or undertaking or failure to co-operate shall lead to cancellation of their bail bonds.

8. It shall also be open for the prosecution to bring any violation of the foregoing conditions of bail by the petitioners, to the notice of the Court

concerned, which shall take immediate action on the same after giving opportunity of hearing to the petitioners.

9. The application stands disposed off in the aforementioned terms.