

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1440 of 2015

Arising Out of PS.Case No. -707 Year- 2014 Thana -KATIHAR District- KATIHAR

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1. Md. Islam S/o Md. Raffique
2. Ashique S/o Md. Islam
Both are resident of Mohalla - Baigna, P.S. - Katihar (T), District -
Katihar.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Singh
For the Opposite Party/s : Mr. Asha Kumari (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 01-09-2015 Heard learned counsel for the petitioners, learned
counsel for the informant as well as learned Additional Public
Prosecutor for the State.

At the very outset, it is pointed out on behalf of the
petitioners that petitioner no. 2 has claimed himself as juvenile
before the court below and his matter is pending before the Chief
Judicial Magistrate, Katihar and, therefore, petitioner no. 2 wants
to withdraw this petition with liberty to file a fresh petition, if he is
not declared juvenile by the competent authority.

In view of the aforesaid submission, the prayer for
bail of petitioner no. 2, namely, Ashique in connection with
Katihar (T) P.S. Case No. 707 of 2014 pending in the court of

Chief Judicial Magistrate, Katihar stands disposed of as withdrawn giving liberty to petitioner no. 2 to file a fresh petition before this court, if he is not declared juvenile by the competent authority.

So far as petitioner no. 1 is concerned, no specific overt-act has been attributed against him and it is only stated that he as well as other accused having armed with deadly weapons entered the house of the informant and assaulted him.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let petitioner no. 1, namely, Md. Islam be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Katihar in connection with Katihar Town P.S. Case No. 707 of 2014.

(Hemant Kumar Srivastava, J)

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