

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37483 of 2014

Arising Out of PS.Case No. -22 Year- 2014 Thana -BAUNSI District- ARRARIA

- =====
1. Md. Salim Son of Md. Naso Baitha
 2. Md. Bashir @ Bashir
 3. Md. Nasir Both Son of Late Layaquat
 4. Bibi Mobina @ Nausa D/o Md. Jahan All resident of village- Saidpur, Tola - Fulwari, Police Station - Boushi, District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sharma

For the Opposite Party/s : Mr. Renuka Ratnakar(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL ORDER

3 17-03-2015

Heard learned counsel for the petitioners and the State.

Petitioners apprehend their arrest in Boushi P.S. Case No. 22 of 2014 registered under section 307 and other allied sections of the Indian Penal Code.

The informant made allegation that petitioner Md. Nasir and Md. Basir whose anticipatory bail petition has already been dismissed as withdrawn caught the informant and tied towel around his neck and put him on the ground. Thereafter all the accused persons snatched Rs. 30000/- from his possession. . Petitioner no.1 Salim is alleged to have snatched bag containing gold ring and cash.

It is submitted that petitioner Bibi Mobina @ Nausa petitioner no.4 had already lodged Baushi P.S Case No. 21 of 2014 against the informant alleging therein that he made an attempt to outrage her modesty

and in that course some scuffle took place and the informant sustained some injury. The allegation of snatching money is superficial.

Having considered the fact that case of the petitioner is earlier in point of time and there is no specific allegation of assault against petitioner no.1 Md. Salim and petitioner no.4 Bibi Mobina @ Nausa, they in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt of the order are directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of Shri S.K. Sanjay, J.M. Ist Class, Araria in Boushi P.S. Case No. 22 of 2014, subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

After some arguments learned counsel for the petitioner seeks permission to withdraw the anticipatory bail of Md. Nasir petitioner no. 3. Accordingly the anticipatory bail petition of petitioner no.3 Md. Nasir is dismissed as withdrawn.

(Prabhat Kumar Jha, J)

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