

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41176 of 2015

Arising Out of PS.Case No. -113 Year- 2015 Thana -BISFI (PATAUNA) District- MADHUBANI

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1. Md. Kafil
 2. Md. Akil
 3. Md. Shakil @ Md. Shakeel
 4. Md. Akbar Ali @ Md. Akwar Ali
 5. Haidar Ali
 6. Md. Jilani
 7. Md. Saddam All are sons of Md. Kasim
 8. Md. Naushad
 9. Md. Furkan @ Md. Phukran Both are sons of Maulvi Hussain
 10. Md. Pappu, son of Md. Kalam All are resident of Village- Kathaila,
P.S.- Bisfi (Patauna), District- Madhubani

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pravin Kumar
For the Opposite Party/s : Mr. Ganesh Pd. Singh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 08-10-2015 Petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 325, 326, 307, 337, 379, 504 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case is that accused persons came to the shop of the informant when on the order of co-accused Maulbi Hussain, co-accused Md. Gajaki assaulted with sword on the head of the informant when other accused persons also assaulted the informant. When the maternal uncle of the informant Md. Alka came to rescue he was assaulted by co-accused Md. Salman, petitioner No. 1 Md. Kafil, petitioner

No. 4 Akbar Ali, petitioner No. 5 Haidar Ali and petitioner No. 10, Md. Pappu and when he fell down then other accused persons also assaulted. The accused persons took away cash of Rs. 35,000/- of the informant.

It is submitted by learned counsel for the petitioners that accusation against the petitioners except petitioner Nos. 1, 4, 5 and 10 are omnibus and general. The maternal uncle is alleged to have been assaulted by petitioners and others but he received only two injuries, out of which only one injury has been found to be grievous. There is counter version of the occurrence.

A statement has been made in para 3 of the petition that petitioners have no criminal antecedent.

Considering the nature of accusation, so far as petitioner Nos. 1, 4, 5 and 10, above named, are concerned, let learned Court below consider the prayer for regular bail of petitioner Nos. 1, 4, 5 and 10, if they surrenders within a period of six weeks in connection with Bisfi(Patauna) P.S. Case No. 113 of 2015, pending in the Court of learned Judicial Magistrate, 1st Class, Madhubani.

Accordingly the application with regard to petitioner Nos. 1, 4, 5 and 10 stands disposed of.

Considering the aforesaid facts, let the petitioner Nos. 2, 3, 6, 7, 8, 9, above named, in the event of their arrest or surrender before the Court below within a period

of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Madhubani in connection with Bisfi(Patauna) P.S. Case No. 113 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Shageer/-

(Dinesh Kumar Singh, J)

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