

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51373 of 2015

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1. Md. Guddu, son of Md. Zafar Imam @ Md. Jafar Imam
2. Md. Afsar @ Md. Afasar, son of Md. Zafar Imam @ Md. Jafar Imam,
Both are resident of village- Chandanpatti, P.S.- Ashok Paper Mill, District-
Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Iqbal Asif Niazi

For the Opposite Party/s : Mr. Sadanand Paswan (Spl. Pp)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 10-11-2015

Heard learned counsels for the petitioner and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 147, 148, 323, 504, 354A and 341 of the Indian Penal Code and Section 3 (I) (X) of the SC/ST (Prevention of Atrocities) Act.

The prosecution case is that on 01.07.2015 at 2.30 PM, the accused persons including the petitioners entered into the house of the informant and started abusing the family members of the informant. It is alleged that petitioner no.1, Md. Guddu armed with a gun started firing on the informant's family and on protest being made the female members and children of the informant's family were abused by calling caste name and also assaulted by the accused persons including the petitioners. The informant who

is a teacher at the time of occurrence was at the school and when he returned from the school he went to made protest then he was also assaulted.

It is submitted by learned counsel for the petitioners that for the occurrence of 01.07.2015, FIR was registered on 03.07.2015 which reached to the court of learned Magistrate on 08.07.2015 which suggests the registration of the FIR by antedating. None received any injury. Moreover, the occurrence took place at the door of the informant which cannot be treated to be a place of public view. A statement has been made in para 3 of the petition that the petitioners have no criminal antecedent.

Considering the aforesaid facts, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Darbhanga in connection with Ashok Paper Mill P.S. Case No. 74 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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