

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56454 of 2015

Arising Out of PS.Case No. -213 Year- 2013 Thana -BAJPATTI District- SITAMARHI

Md. Faiz

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dinesh Jha

For the Opposite Party/s : Mr. Amrendra Prasad (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 14-12-2015

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 147, 148, 149, 448, 323, 324, 325, 379, 307, 435, 427 and 302 of the Indian Penal Code.

The prosecution case is that 19 accused persons including the petitioner came variously armed and surrounded the brother of the informant Md. Sobail when the specific accusation of causing injury with knife and iron rod is against co-accused Md. Mojibul Rehman and Md. Shamim and when nieces of the informant Kahkasha Khatoon and Darakhshan Khatoon came to rescue all the accused persons assaulted them also. Subsequently the brother of the informant succumbed to the injuries.

It is submitted by learned counsel for the petitioner that

the specific accusation of assault is only levelled against co-accused Md. Mojibul Rehman and Md. Shamim. There is no accusation of any overt act against the petitioner. There is counter version of the occurrence also and co-accused Mumtaz Khatoon with similar accusation has been granted anticipatory bail by a co-ordinate Bench of this Court vide Cr. Misc. No. 14836 of 2015.

Considering the aforesaid facts, let the above named petitioner 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) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Pupri, Sitamarhi in connection with Bajpatti P.S. Case No. 213 of 2013, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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