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- .... Petitioners

## 1. The State of Bihar.

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For the Petitioners : Mr. Diwakar Sinha  
For the Opposite Party : Mr. Rajendra Singh Shastrijee (App)

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Petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 147, 149, 307, 323, 327, 353, 379 of the Indian Penal Code.

It is submitted by learned counsel for the

petitioners that the alleged date of occurrence is 30.03.2013, whereas the order dated 10.12.2013 passed by learned Chief Judicial Magistrate, Kishanganj in connection with Pothia(Paharkatta) P.S. Case No. 115 of 2013 reflects that requisition was filed for issuance of arrest against Mumtaj, Taiman and Ashfaque but prayer of the police was refused and thereafter no prayer was made. Md. Taiyab was not named in the First Information Report of Pothia(Paharkatta) P.S. Case No. 115 of 2013 which was registered under Section 302 of the Indian Penal Code. Hence the whole case suggests the malicious action of the police. The daughter of Md. Taiyab lodged a complaint against the police personnel also.

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

Considering the aforesaid facts, let the petitioners, 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 Chief Judicial Magistrate, Kishanganj in connection with Pothia(Paharkatta) P.S. Case No. 87 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

**(Dinesh Kumar Singh, J)**

Shageer/-

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