

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21538 of 2015

Arising Out of PS.Case No. -1035 Year- 2011 Thana -DARBHANGA COMPLAINT CASE
District- DARBHANGA

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1. Zahirul Haque son of Late Md. Habib
 2. Md. Habib son of Zahirul Haque
 3. Md. Ali son of Late Abdul Hamid
 4. Md. Haroon son of Late Khalil
 5. Md Ekhlaque son of Zahirul Haque

.... Petitioner/s

Versus

1. The State of Bihar.
2. Md. Badood son of Md. Basir

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nilesh Kumar, Advocate

For the Opposite Party/s : Mr. Rajendra Pd. Nat(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 20-05-2015 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a complaint case filed for the offences punishable under Sections 323, 504, 341, 384 of the Indian Penal Code wherein process has been directed to be issued after cognizance being taken.

It is alleged that when the complainant reached to the Laheriasarai Bus Stand, all the petitioners surrounded and abused him. It is further submitted that petitioner no.1 assaulted the complainant with rod, petitioner no.5 assaulted with knife, other petitioners assaulted with fists and slaps whereas petitioner no.5 obtained LTI of the complainant on three papers and took away a

bag from the complainant and petitioner no. 1 snatched Rs.1250/- from the complainant.

It is submitted by learned counsel for the petitioners that for the occurrence of 12.06.2011, the complaint was filed 15.06.2011 whereas the petitioners filed Ashok Paper Mill P.S. Case No. 81 of 2011 on 14.06.2011 against the informant. There is no injury report on record and in the background of serious land dispute the accusation has been levelled. A statement has been made in paragraph 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 Judicial Magistrate, 1st Class, Darbhanga in connection with Complaint Case No.1035 of 2011, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Ashwini/-

(Dinesh Kumar Singh, J)

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