

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30175 of 2015

Arising Out of PS.Case No. -251 Year- 2014 Thana -VAISHALI District- VAISHALI(HAJIPUR)

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1. Md. Mokhtar
 2. Md. Mojim, Both sons of Serajul Haque, resident of village - Bhagwanpuratti, P.S. - Vaishali, District - Vaishali.
 3. Md. Kasim, Son of Md. Hafiz, resident of village Belka, P.S. - Vaishali, District - Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bela Singh

For the Opposite Party/s : Mr. A.Dayal (App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 27-10-2015 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners apprehend their arrest in connection with Vaishali P.S. Case No. 251 of 2014 registered for the offences punishable under Sections 341, 342, 323, 354(B), 504, 506, 349 the Indian Penal Code.

At the outset, learned counsel for the petitioner submits that petitioner no. 3 has been taken into custody during the pendency of the application.

Accordingly, the application against petitioner no.3 is dismissed being infructuous.

Learned counsel for the petitioners submits that the present case has been lodged in retaliation of earlier case filed by the father of the petitioner no. 1, namely, Md. Mokhtar only

with intent to pressurize the petitioner to withdraw the aforesaid case. It is further submitted that the present case has been lodged after delay of 17 days from the alleged date of occurrence.

Considering the aforesaid submissions and also the fact that the petitioners have no criminal antecedent, let the petitioner no.1 & 2, namely, Md. Mokhtar and Md. Mojim, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Vaishali at Hajipur in connection with Vaishali P.S. Case No. 251 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C..

(Anjana Mishra, J)

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