

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54077 of 2015

Arising Out of PS.Case No. -173 Year- 2015 Thana -DAGARUA District- PURNIA

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1. Sagir @ Sakir son of Ifrar
 2. Md. Pappu son of Sakir @ Sagir
 3. Md. Jafir son of Late Ajub
 4. Md. Rakib son of Late Habib
 5. Khalid @ Khalil son of Late Ajin
 6. Ansari Khatoon wife of Sakir

All are resident of resident - Dariyapur, P.S. -Dagarua, District - Purnea

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijendra Kumar Singh

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

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 09-12-2015

Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners seek pre-arrest bail in connection
with Dagarua P.S. Case No. 173 of 2015 registered for the
offences punishable under Sections 323, 324, 307, 304, 354, 380,
147, 148 and 149 of the Indian Penal Code.

It is contended that though the alleged occurrence
took place on 29th August, 2014, the complaint was filed after ten
days on 8th September, 2014, which was referred to the Police for
investigation pursuant to which the FIR has been instituted. It is
further contended that the specific allegation of assault upon the
informant is confined against petitioner no.1 Sagir @ Sakir. So far

as other petitioners are concerned, the allegations are general and omnibus.

Learned counsel for the State has contended that though there is some delay in institution of the FIR, but it would be evident from the evidence that the informant has sustained grievous injury on his head and hand due to assault upon him with iron rod caused by the petitioner no. 1 Sagir @ Sakir.

Regard being had to the facts and circumstances of the case, the prayer for grant of anticipatory bail on behalf of petitioner no.1 Sagir @ Sakir is rejected.

So far as petitioners no. 2 to 6, namely, Md. Pappu, Md. Jafir Md. Rakib, Khalid @ Khalil and Ansari Khatoon are concerned, in the event of their arrest or surrender before the court below within four weeks from today, they are directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Purnea in connection with Dagarua P.S. Case No. 173 of 2015, subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J.)

Pradeep/-

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