

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5800 of 2015

Arising Out of PS.Case No. -413 Year- 2012 Thana -MUFFASIL District-
WESTCHAMPARAN(BETTIAH)

- =====
1. Emam Hasan Ansari @ Amam Hussain Son of Late Alim Mian resident of village - Gurwalia Kachahri Tola, P.S. Manuwapul, District - West Champaran
2. Khaliquzzama @ Pappu Son of Qamruddin Resident of village - Gurwali Sewala Tola, P.S. Manuwapur, District - West Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Anjum Akhter, Advocate.

For the Opposite Party/s : Mr. Nazir Ansari(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 11-02-2015 Heard both sides.

The petitioners apprehend their arrest in Muffassil Manuwapul P.S. Case No. 413 of 2012, registered for the offences punishable under Section 307 and some other Sections of the Indian Penal Code.

The informant named 12 persons and alleged that on the order of Nezamuddin Mian Enam Mian assaulted the informant with Pharsa on his head.

Learned counsel for the petitioners submits that the petitioner is Emam Hasan Ansari @ Amam Hussain and Khaliquzzama @ Pappu, but no specific allegation of assault is made against the petitioners. The police after investigation

submitted final form, but the case was found true against other accused persons and the learned Chief Judicial Magistrate took cognizance. The allegation of assault is against Enam Mian and the petitioner no. 1 is Emam Hasan Ansari @ Amam Hussain.

Considering the facts aforesaid and the fact that that the petitioners were not sent up for trial as the police found the case not true against them and there is no allegation of assault, the petitioners, 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, are directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, West Champaran, Bettiah in connection with Muffassil Manuwapul P.S. Case No. 413 of 2012, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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