

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18185 of 2015

Arising Out of PS.Case No. -14 Year- 2014 Thana -KATIHAR GRP CASE District- KATIHAR

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1. Md. Arshad Aiyub @ Md. Arshad, son of Md. Abu Lesh, resident of Village-Sohragachhi, P.S.- Azamnagar (Salmari O.P.), District-Katihar.
 2. Md. Azhar Kamal Razani alias Azhar, son of Md. Quazim, resident of Village-Bhaisbandha, P.S.-Balla-Belon, Distt-Katihar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Qumrul Hoda, Advocate

For the Opposite Party/s : Dr. M.K. Gautam (APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 12-08-2015 Heard learned counsel for the petitioners and the

learned counsel for the State.

The petitioners are apprehending their arrest in connection with Barsoi Rail P.S. Case No.14 of 2014 for allegedly having committed the offences under Sections 147, 341, 323, 353, 379, 504, 506 of the Indian Penal Code and Section 3(x) of the S.C./S.T. (Prevention of Atrocities) Act.

Learned counsel for the petitioners submits that farfetched and imaginary story has been carved out by the informant alleging that 20-25 persons had come in and had attacked the informant. Learned counsel submits that initially two persons had come on the motorcycle, who had taken the caste name whereas these petitioners are merely said to have come later,

but there is no allegation that any caste name was taken by them.

Considering the nature of allegations made against the petitioners and that there is no specific overt act attributed to these petitioners in particular, let both the petitioners, above named, in the event of their arrest or surrender before the court below within a period of three weeks from the date of receipt/production of a copy of this order, be released 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 Railway Magistrate, Katihar, District-Katihar, in connection with Barsoi Rail P.S. Case No.14 of 2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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