

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30390 of 2015

Arising Out of PS.Case No. -107 Year- 2015 Thana -CIVIL LINE District- GAYA

- =====
1. Maqbool
 2. Hira Quraishi @ Hira
 3. Afsar @ Gotha

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Atul Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Madan Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 31-07-2015

Since petitioner no.1 Maqbool has been arrested, learned counsel for the petitioner seeks permission to withdraw this application with respect to him only.

Permission is granted.

Accordingly, this application with respect to petitioner no.1 stands dismissed as withdrawn.

Heard learned counsels for the petitioners and the State.

Petitioner nos. 2 and 3 are apprehending arrest in a case registered for the offences punishable under Sections 341/323/307/427/504/506/34 of the Indian Penal Code.

The prosecution case is that the accused persons including the petitioners came and started demolishing the house of the informant, on protest being made all the accused persons assaulted the informant with 'danda' as a result the informant got unconscious.

It is submitted by learned counsel for the petitioners that the injury report suggests bleeding from nose, bruise left expecular region. The accusation being general and omnibus has been levelled in the background of 144 Cr.P.C. proceeding initiated between the parties. A statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent.

It is submitted by learned App for the State that the accusation of assault is against all the accused persons.

Considering the omnibus and general nature of accusation and nature of injury, moreover, the accusation being levelled in the background of dispute between the parties under Section 144 Cr.P.C, let petitioner nos. 2 and 3 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 Chief Judicial Magistrate, Gaya in connection with Civil Line P.S. Case No.107 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Ashwini/-

(Dinesh Kumar Singh, J)

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