

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35731 of 2014

Arising Out of PS. Case No. -67 Year- 2004 Thana -KHODAWANPUR District- BEGUSARAI

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Md. Noor Alam, Son of Md. Quasim, Resident of Village- Sirsi, P.S.-
Khodawandpur, District- Begusarai

.... Petitioner.

Versus

The State of Bihar

.... Opposite Party.

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with

Criminal Miscellaneous No.40590 of 2014

Arising Out of PS. Case No. -67 Year- 2004 Thana -KHODAWANPUR District- BEGUSARAI

- =====
1. Ghazali Quamar @ Md. Ghazali Quamar
 2. Md. Gufran @ Md. Gufran Quamar
Both Sons of Gayasuddin
 3. Phool Hasan, Son of Abdul Rashid
 4. Lal Mohammad @ Lal Mo., Son of Late Dawood
 5. Lal Mohammad @ Lal Mo. Son of Jaan Mohammed
 6. Md. Mustaque Son of Md. Rayees
 7. Md. Wasil @ Wasil Son of Late Salim

All residents of village- Sirsi, P.S.- Khodawanpur, District- Begusarai

.... Petitioners.

Versus

The State of Bihar

.... Opposite Party.

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Appearance :

(In Cr. Misc. No.35731 of 2014)

For the Petitioner/s : Mr. Yogesh Kumar, Advocate

For the Opposite Party/s : Mr. A. Haque Saha (APP)

(In Cr. Misc. No.40590 of 2014)

For the Petitioner/s : Mr. Yogesh Kumar, Advocate

For the Opposite Party/s : Mr. Manoj Kumar No. 1(APP)

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**CORAM: HONOURABLE MR. JUSTICE SAMARENDRA
PRATAP SINGH**

ORAL ORDER

2 04-03-2015

Heard learned counsel for the petitioners and the
State.

The petitioners apprehend their arrest in a case for the
offence under Sections 302 and 379/34 of the Indian Penal Code

and Section 27 of the Arms Act.

The informant alleged that all the accused persons opened fire, which killed his daughter Anwari Khatoon, aged about 12 years.

Learned counsel for the petitioners submits that the police after investigation submitted final form in favour of the petitioners and recommended under Sections 182/211 Cr.P.C. against the informant itself in the year 2007. However, after 7 years, the learned Magistrate has taken cognizance against the petitioners.

In that view of the matter, in the event of arrest or surrender before the court below within four weeks from today the above named petitioners be released on anticipatory bail on furnishing bail bond of Rs.5000/- (Five thousand) each with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 1st Class, Begusarai in connection with Khodawandpur P.S. Case no. 67 of 2004 subject to the conditions as laid down under Section 438 (2) Cr.P.C. with the condition that the petitioners would co-operative in the proceeding before the court below.

(Samarendra Pratap Singh, J.)

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