

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9259 of 2016

Arising Out of PS.Case No. -1 Year- 2016 Thana -FORBESGANJ District- ARRARIA

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1. Md. Dilshad @ Dilip Son of Jahar Ali,
 2. Md. Kalim @ Kari Son of Late Budhu,
 3. Md. Salaamt Son of Md. Gola @ Md. Bhola,
 4. Md. Haroon, Son of Md. Idrish,
 5. Idrish Son of Md. Gola @ Md. Bhola
 6. Md. Jahangir Son of Md. Taslim,

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana, Advocate

For the Opposite Party/s : Mr. Kanhaiya Kishore(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 29-02-2016 Heard learned counsels for the petitioners and the

State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 147, 341, 342, 323, 380, 354B, 448, 504 and 506 of the Indian Penal Code.

Prosecution case is that on 31.12.2015 at 11.30 a.m., the informant was at her door of the house, in the meantime the accused persons came by car and four motorcycles and enquired about the brother of the informant namely Assad as they claimed that Assad took a loan of Rs.5000/- but has not returned the same when father of the informant suggested that Assad is not in the

house then accused persons started abusing the informant after entering into the house and took away jewellery worth Rs.56,000/-, cash Rs.60,000/- and thereafter escaped from the scene.

It is submitted by learned counsel for the petitioners that accusation is omnibus and general. For the occurrence of 31.12.2015 at 11.30 A.M., the FIR was registered on 01.01.2016 at 11.00 A.M. which reached to the court of learned CJM on 4.1.2016 which suggests the FIR has been registered with antedating.

It is further submitted that a bare perusal of the written report, the accusation appears to be unreasonable. A statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent.

Considering delayed lodging of the case coupled with a statement made in paragraph 3 of the petition that the petitioners have no criminal antecedent, let the above named petitioners 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 Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, Araria in connection with Forbesganj P.S. Case

No.1/2016, subject to the conditions as laid down under Section
438(2) Cr.P.C.



Ashwini/-

(Dinesh Kumar Singh, J)

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