

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43128 of 2016

Arising Out of PS.Case No. -221 Year- 2016 Thana -JOKIHAT District- ARRARIA

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1. Eklakh, son of Late Jahiruddin
2. Hassan Reza, son of Hasibur Rahman
3. Arif @ Md. Arif, son of Late Jahiruddin
All are residents of village - Ghormara, Police Station Mahalgaon,
District - Araria

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana

For the Opposite Party/s : Mr. Sri Umesh Lal Verma

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 20-10-2016

Heard Sri Mukesh Kumar Rana, learned counsel for
the petitioners and Sri Umesh Lal Verma, learned Addl. Public
Prosecutor.

Three petitioners, who are in custody since
25.07.2016 in Jokihat (Mahalgaon) P.S. Case No.221 of 2016
registered for the offence under Sections 341, 323, 324, 326, 307,
379, 354B, 504, 506/34 of the Indian Penal Code and subsequently
Section 302 of the Indian Penal Code was added, have prayed for
grant of bail.

It was submitted by learned counsel for the
petitioner that prior to lodging of the present case, from the
petitioners' side also, an F.I.R. vide Jokihat(Mahalgaon) P.S.

Case No.219 of 2016 was lodged under Section 307 and other allied Sections of the Indian Penal Code. He submits that there is general and omnibus allegation against the petitioners and, as such, petitioners deserve to be released on bail.

Sri Umesh Lal Verma, learned Addl. Public Prosecutor, opposing the prayer for bail of the petitioners, submits that there is specific accusation against petitioner nos.1 and 2. So far as petitioner no.3 is concerned, he accepts that there is general and omnibus allegation against him.

Keeping in view the fact that there is specific accusation against petitioner nos. 1 and 2, namely, (i) Eklakh and (ii) Hassan Reza, their prayer for bail is rejected.

So far as petitioner no.3, namely, Arif @ Md. Arif is concerned, keeping in view the fact that there is general and omnibus allegation against him, he is directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Araria in connection with Jokihat (Mahalgaon) P.S. Case No.221 of 2016.

(Rakesh Kumar, J)

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