

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31150 of 2016

Arising Out of PS.Case No. -356 Year- 2016 Thana -BANKA District- BANKA

1. Md. Galib Son of Md. Alam Resident of village -Kharhara, P.S.- Barahat , District-Banka

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.31247 of 2016

Arising Out of PS.Case No. -356 Year- 2016 Thana -BANKA District- BANKA

1. Md. Salib
2. Md. Sakir both are sons of Md. Alam Resident of Village- Kharhara, P.S. - Barahat, District-Banka

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.31150 of 2016)

For the Petitioner/s : Mr. Md. Nurul Hoda

For the Opposite Party/s : Mr. Jitendra Kumar Singh

(In Cr.Misc. No.31247 of 2016)

For the Petitioner/s : Mr. Md. Nurul Hoda

For the Opposite Party/s : Mr. Jitendra Kumar Roy 1

CORAM: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH

ORAL ORDER

3 06-10-2016 Heard learned counsel for the petitioners and learned A.P.P. for the State.

In both these applications the three petitioners are brothers who apprehend arrest in relation to Banka (Barahat) P.S. Case no. 356 of 2016 instituted for the offences punishable under

sections 341, 323, 504, 307 and other allied sections of the Indian Penal Code, under section 27 of the Arms Act and $\frac{3}{4}$ of the Explosive Substance Act.

Perusal of the first information report shows that forming an unlawful assembly the accused persons entered into the house of the informant and used fire arm.

Learned counsel for the petitioners submits that the injury is simple in nature.

Be that as it may, there is allegation of use of fire arm and explosives. In view of the aforesaid fact, I am not inclined to entertain both these applications for grant of anticipatory bail to the petitioners. Both these applications are dismissed.

However, the petitioners may surrender within four weeks in the court below and pray for regular bail which would be considered and disposed of in accordance with law without being prejudiced by this order.

(Navaniti Prasad Singh, J)

Amin/-

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