

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51704 of 2016

Arising Out of PS.Case No. -73 Year- 2016 Thana -AMDABAD District- KATIHAR

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1. Aftab Hussain @ Altaf Hussain
2. Sakir @ Md. Sakir
Both sons of Abdul Hakim, R/o village Bara Lakhanpur, P.S. Amdabad,
District Katihar

.... Petitioners

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimal Kumar

For the Opposite Party/s : Mr. Anil Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 14-12-2016 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

This is application for anticipatory bail, for the offence
under Sections 341, 323, 325, 307/34 of the Indian Penal Code.

The allegation against the petitioners is that petitioner
No.1 has assaulted the informant by hammer on the head and
petitioner No.2 has assaulted the nephew of the informant by
Talwar.

It has been submitted on behalf of the petitioners that
there is case and counter case between the parties and the
petitioners have falsely been implicated in this case. As such,
petitioners deserve anticipatory bail.

Heard learned APP appearing for the State who opposed



the prayer for anticipatory bail.

Having heard both sides and in view of the fact that there is specific allegation of assault against the petitioners and that too on the head by Talwar by petitioner no.2 and by means of iron hammer on the head of the informant by petitioner no.1, I am not inclined to allow the prayer of the petitioners for anticipatory bail. Accordingly, prayer of the petitioners is rejected. However, the petitioners are directed to surrender before the court below and seek regular bail, which shall be considered and disposed of on its own merit without being prejudiced by this order.

(Vinod Kumar Sinha, J)

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