

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46592 of 2016

Arising Out of PS.Case No. -230 Year- 2016 Thana –K. NAGAR District- PURNEA

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1. Md. Riyaz, S/o Md. Majid,
2. Md. Shahid, S/o Md. Moiz. Both are resident of Village- Moglaha, P.S.-
K.Nagar, District- Purnea.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Adv.

For the Opposite Party/s : Mr. Satyavarat Verma, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 07-12-2016 After some argument and on being pointed out by the learned counsel for the informant, Mr. N.K. Agrawal learned senior counsel for the petitioners seeks permission to withdraw the anticipatory bail petition of petitioner no. 1 Md. Riyaz on the ground that there is specific allegation of assault against him as well as he has got criminal antecedent.

Prayer is allowed. The anticipatory bail petition of Md. Riyaz petitioner no. 1 is dismissed as withdrawn.

Heard both sides.

The petitioner Md. Shahid apprehends his arrest in K. Nagar P.S. Case No. 230/2016, registered for the offences punishable under Section 307 and other sections of the Indian



Penal Code.

Learned counsel for the petitioner submits that of course, petitioner is named in the F.I.R. along with 10 other accused persons, but there is no specific allegation of assault against the petitioner.

Learned counsel for the informant as well as learned A.P.P. however, opposed the prayer for anticipatory bail of the petitioner, but at the same time very fairly admitted that there is no specific allegation of assault against the petitioner Md. Shahid.

Considering the facts aforesaid, the petitioner Md. Shahid, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Sub-Divisional Judicial Magistrate, Purnea in connection with K. Nagar P.S. Case No. 230/2016, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Jha, J.)

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