

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3136 of 2016

Arising Out of PS.Case No. -104 Year- 2015 Thana -JOGBANI District- ARRARIA

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Md. Shani @ Sanni son of Jamil resident of village- Chhoti Masjid, P.S.-
Jogbani in the district of Araria

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Raj Kumar, Advocate.

For the Opposite Party : Mr. Shailendra Kumar Singh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 20-01-2016 Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 147, 148, 149, 452, 341, 323, 325, 326, 307 and 379 of the Indian Penal Code.

The prosecution case is that the accused persons including the petitioner armed with spade, rod came to the house of the informant. When the brother of the informant Bechan Choudhary opened the co-accused Abdul Sattar Ansari ordered to kill him whereupon the co-accused Jawed Sah caused injury on his head by means of spade. When his brother Chhotu Choudhary and his neighbour Santosh Soni came to rescue they were also assaulted with rod and spade as a result of which they sustain

injuries. The accused persons also snatched golden chain of Santosh Soni and also entered into the house and assaulted the female members.

It is submitted by the learned counsel for the petitioner that the specific accusation has been levelled against Abdul Sattar Ansari and Jawed Sah. The injuries of the informant side have been found to be simple in nature. Statement has been made in paragraph -3 of the petition that the petitioner has got no criminal antecedent.

Considering the fact that specific accusation of assault has not been levelled against the petitioner, let the above named petitioner 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 bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-I, Araria in connection with Jogbani P.S. Case No. 104 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J.)

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