

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9323 of 2016

Arising Out of PS.Case No. -49 Year- 2011 Thana -PAROO District- MUZAFFARPUR

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1. Md. Amanullah @ Amanullah S/o Abdul Rauf @ Abdurr Raut resident
of Village- Jafarpur, P.S.- Paroo, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate

For the Opposite Party/s : Mr. Narendra Kr. Singh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

2 01-03-2016

Heard learned counsel for the petitioner and the
State.

Petitioner is apprehending his arrest in a case
registered for the offences punishable under Sections 307/34,
341, 323, 324, 448 of the Indian Penal Code.

The prosecution case is that for a dispute with
regard to Secretaryship of local Madarsa as the accused
persons wanted Abdul Jabbar to resign from the post and
scuffle took place. When the son of Abdul Jabbar namely Md.
Saddam @ Guddu came to rescue, then co-accused Md.
Matiullah assaulted him with knife. Subsequently, other
accused persons assaulted Akhtari Begum with lathi and
danda.

It is submitted by the learned counsel for the
petitioner that no specific overt act has been alleged against the

petitioner. Co-accused Md. Matiullah and Md. Sajjad were charge-sheeted and petitioner was not sent up for trial, but differing with the Final Form cognizance has been taken. The process has never been served on the petitioner since the petitioner is working abroad. Now, process under Sections 82 and 83 have been issued.

Let the learned court below consider the prayer for regular bail of the petitioner keeping in view of the fact that petitioner was not sent up for trial, coupled with the statement made in para-3 of the petition that petitioner has no criminal antecedent, if the petitioner surrenders before the learned court below within a period of six weeks from today in connection with Paroo P.S. Case No. 49 of 2011, pending in the court of learned Sub-Divisional Judicial Magistrate, Muzaffarpur.

With the above observation this application is disposed of.

(Dinesh Kumar Singh, J)

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