

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19501 of 2016

Arising Out of PS.Case No. -109 Year- 2015 Thana -DIGHA District- PATNA

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MD. MUKHTAR @ MD. MOKHTAR Son of Md. Nazir R/o Village-Saghary, PS Musahari, District Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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with

Criminal Miscellaneous No.19497 of 2016

Arising Out of PS.Case No. -109 Year- 2015 Thana -DIGHA District- PATNA

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1. Md. Abid,
2. Md. Javed, Both sons of Abdul Khalik, Both Resident of village-Sadpura, P.S- Kazimohammadpur, District- Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

(In Cr.Misc. No.19501 of 2016)

For the Petitioner/s : Mr. Alok Kumar Alok

For the Opposite Party/s : Mrs. Gulnar Begum (App)

(In Cr.Misc. No.19497 of 2016)

For the Petitioner/s : Mr. Alok Kumar Alok

For the Opposite Party/s : Mr. Narsing Tanti(App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 27-06-2016 Since aforesaid both the cases which arise out of the same and one F.I.R., they have been heard together and are being disposed of by this common order.

The petitioners Md.Abid, Md.Javed in Cr.Misc. No.19497/2016 and Md. Mukhtar @ Md.Mokhtar in Cr.Misc.

No.19501/2016 are apprehending their arrest for the offence under Section 379 of the I.P.C.

Learned counsel for the petitioners submits that though the petitioners have not been named in the F.I.R. but in confessional statement made by one Md.Islam the names of the petitioners have been brought in connection with the present case. It is further submitted that petitioner no.2 in Cr.Misc. No.19497/16 is younger brother of petitioner no.1 and used to assist his brother petitioner no.1 in his scrap business.

It is further submitted on behalf of the petitioners that another similarly situated co-accused, namely, Md. Islam whose name also figured in his confessional statement itself made before the police, which has no evidentiary value, has already been extended the privilege of anticipatory bail vide order dated 24.05.2016 passed in Cr.Misc. No.16036/16.

Considering the aforesaid facts and circumstances and that the petitioners stand similarly situated, above named in both cases, in the event of their arrest or surrender before the Court below within four weeks from today, be released on bail on furnishing bail bonds of Rs.10,000/- each with to sureties of the like amount each to the satisfaction of Sri Md. Inam Khan, J.M. 1st Class, Patna, in Digha P.S. Case No.109/15 subject to the

conditions as laid down under Section 438(2) of Cr.P.C.



(Anjana Mishra, J)