

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27147 of 2016

Arising Out of PS.Case No. -143 Year- 2014 Thana -KISHUNPUR District- SUPAUL

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1. Md. Nizamuddin @ Md. Nazam Son of Late Md. Safik
2. Md. Javed
3. Md. Juber both sons of Md. Nizamuddin @ Md. Nazam resident of
village - Sisouni Belaterha, Police Station - Kisanpur, District - Supaul.
.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Arun

For the Opposite Party/s : Mr. Sri Ashok Kumar Singh 1

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 05-07-2016 Heard learned counsel for the parties.

The petitioners have renewed the prayer for anticipatory bail in a case registered for the offence punishable under sections 147, 148, 149, 341, 323, 324, 325, 326, 504, 506, 427, 354, 448, 307, 380 of the Indian Penal Code and section 27 of the Arms Act.

Prosecution case is that the accused persons made assault to the informant side while they were going home after making the prayer in Mosque, the accused persons chased the informant side to their house and abused and assaulted the lady members also. The accused persons also took away ornaments and some house hold articles.

Earlier the prayer for anticipatory bail of the petitioner was rejected by a co-ordinate Bench of this Court (since retired) vide order dated 23.7.2015 passed in Cr.Misc.Nos. 17167/2015,

17218/2015 and 19671/2015. The petitioners have renewed the prayer for anticipatory bail on the ground that there is later version of the informant. Md. Mursida Khatoon filed Kisanpur P.S. Case No. 147/2014 against the informant side and the parties have entered into compromise as co-accused Md. Prince has been granted anticipatory bail by a co-ordinate Bench of this Court vide Cr. Misc. No. 26383 of 2015.

This Court is not inclined to revise the earlier order, but keeping in view the present stand of the parties coupled with the statement made in paragraph 3 of the application that the petitioners have no criminal antecedent and co-accused has been granted anticipatory bail, it is a fit case for consideration of the prayer for regular bail.

Let the learned court below consider the prayer for regular bail of the petitioners, if the petitioners surrender before the learned court below within a period of six weeks from today in connection with Kisanpur P.S. Case No. 143/2014 pending in the court of Chief Judicial Magistrate, Supaul.

With the aforesaid observation, this application is disposed of.

(Dinesh Kumar Singh, J)

Surendra/-

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