

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 32418 of 2016

Arising out of P.S. Case No. -12 Year - 2016 Thana - PATHAMARI District - KISANGANJ

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1. Gulam Hasnain, S/o Idrish Alam
 2. Gulam Awesh, S/o Idrish Alam
 3. Gulam Nomani, S/o Idrish Alam
 4. Shoib Alam, S/o Suleman, All are resident of Village - Andabari, P.S. - Pathamari, District - Kishanganj
 5. Gulab, S/o Abdul Quadir, Resident of Village - Basir Nagar, P.S. - Thakurganj, District - Kishanganj

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Mukesh Kumar Jha, Advocate

For the Opposite Party : Mr. Sanjay Kumar Sharma, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 11-08-2016

Heard learned counsel for the petitioners and learned counsel appearing on behalf of the State.

The petitioners apprehending their arrest in connection with Pathamari P.S. Case No. 12 of 2016 registered for the offences punishable under Sections 147, 148, 341, 323, 325, 307, 332, 333 and 353 of the Indian Penal Code.

Counsel for the petitioners submits that though these petitioners themselves had brought in the police station too in support of an occurrence in which they have been attacked by the informant's side, the petitioners have now been named accused in the counter case filed by the police.

It is submitted that these petitioners had no occasion

to attack the police as they had themselves called them for their protection. Furthermore, there is case and counter case between the parties which is evident from the submission at paragraph 3 for which Pathamari P.S. Case No. 11 of 2016 has been registered by the accused persons against the present petitioners. Save and except, the said incident, the petitioners have no criminal antecedent.

Considering the nature of allegations made and the injuries as indicated in the Anneuxre-3 and 3/1 of the supplementary affidavit which goes to show that the same are simple in nature, let the petitioners above named, in the event of their 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, are directed to be enlarged on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-1st Class, Kishanganj in connection with Pathamari P.S. Case No. 12 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

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(Anjana Mishra, J.)

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